

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
March 4, 2010

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:

March 15, 2010

Jeff Lee

STATE OF IOWA
MUSCATINE COUNTY

Subscribed and sworn to before me this
16th day of March 2010

Beth Lester, Notary Public



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

CITY OF MUSCATINE REGULAR CITY COUNCIL MINUTES Council Chambers 7:00 p.m. - March 4, 2010

Mayor Dick O'Brien called the City Council meeting for Thursday, March 4, 2010, to order at 7 p.m. Councilmembers present were LeFrette, Fitzgerald, Roby, Bynum, and Lange.

Councilmember Roby gave the opening prayer which was followed by the Pledge of Allegiance.

Minutes approved of the February 18, 2010 City Council meeting, the January 28 and 30, 2010 and February 1-3, 6, 10, 11 and 16, 2010 budget meetings, and the February 11, 2010 Executive Session.

Consent Agenda approved as follows: First reading for a new Class B Beer and Sunday Sales Permit for Supreme Fitness LLC, 303 Cleveland Street (pending inspections and receipt of final paperwork); renewal of a Class C Liquor License with Sunday Sales and Outdoor Service for the Rendezvous, 3127 Lucas Street - Cindy's Rendezvous LLC; renewal of a Class C Liquor License with Sunday Sales for Diamond Dave's Taco Co., 2608 2nd Avenue - South of the Border Inc.; filing of Communications A-I; and Bills for Approval totaling \$909,664.13 as well as receipt summaries and journal entries for October 2009.

PUBLIC HEARING

Mayor O'Brien stated a public hearing was being held concerning the proposed complaint against a retail cigarette permit holder for violating Iowa Code Chapter 453A. City Attorney Harvey Albee Jr. stated this violation is in

connection with compliance checks made by the Police Department. It was determined that Reif Oil Company, doing business as Muscatine Fast Break, was in violation of the state statute that prohibits the sale of tobacco products to minors. He stated Council has before them the various documents stemming from this violation. He asked if there was anyone in the audience representing Reif Oil Company that would like to speak pertaining to this violation. There was no response.

City Attorney Albee stated the civil penalty for this violation is \$300. He stated it would be appropriate at this time for City Council to adopt the resolution assessing the civil penalty which must be paid to the city on or before May 4, 2010.

Resolution adopted approving the order assessing a civil penalty in the amount of \$300 against Reif Oil Company, doing business as Muscatine Fast Break, to be paid on or before May 4, 2010.

Request approved for the use of city property from the Mississippi Valley Child Protection Agency for a walk/run on Saturday, May 15, 2010.

Reappointment of Brandy Dulceak Olson to the Civil Service Commission approved.

Ordinance adopted on final reading providing for the division of taxes levied on taxable property in the Muscatine 2010 Industrial Urban Renewal Area Pursuant to Section 403.19 of the Code of Iowa and directed for publication.

Resolution adopted approving the order accepting acknowledgment/settlement agreements and imposing civil penalties with regard to cigarette permit holders violating Iowa Code 453A.2.

PUBLIC DOCUMENT
INDEX No.

9 1 2 2 5

CITY CLERK'S OFFICE
MUSCATINE, IOWA

City Attorney Albee stated this action involves two cigarette permit holders who did sign and return their settlement agreements and pay the civil penalties. He stated it would be appropriate at this time to adopt the resolution as submitted.

Resolution adopted approving the modification of the airport hangar lease agreement with Bridgestone Americas Inc.

Councilmember Roby asked if a 20-year lease was normal.

Councilmember Fitzgerald stated the corporation built the hangar and donated it back to the city and in turn paid a rental fee of \$1 per month.

City Attorney Albee stated this agreement will expire on April 4, 2011. He stated the only change at this time is the entity. He stated that once the lease expires, a new lease will have to be negotiated.

Resolution adopted approving the low bid from North Construction in the amount of \$34,987 for the Muscatine Owner-Occupied Housing Rehabilitation Program for 1407 Mill Street.

Councilmember Bynum stated the grant allows for \$24,999 but the bid came in higher. He asked who was responsible for the overage.

Steve Boka, the city's Planning, Zoning and Building Safety Director, stated that more than likely, a large portion of the bid amount is for lead-based paint abatement. He stated that anything over and above the allowed amount will be the responsibility of the property owner.

Professional agreement approved with HLW Engineering Group for solid waste services.

State of Iowa Federal-Aid Grade Crossing Surface Repair Force Account Agreements approved for Sampson Street, Oregon Street, and 9th and 5th streets.

Motion approved establishing April 26-30, 2010 as Spring Cleanup Week.

Councilmember Lange asked if leaves would be picked up in April.

Public Works Director Randy Hill stated they would be picked up every Friday in April. He stated the city would also be leasing additional street sweepers in April as well.

Councilmember Fitzgerald stated the transfer station is open on Saturdays for those who would rather dispose of their own items. He also stated the fee is very reasonable.

Solid Waste Manager Laura Liegeois stated the minimum amount is \$700 for up to 240 pounds and it gradually increases from there. She stated the transfer station is open during the week from 7 a.m. to 3:30 p.m. and on Saturdays from 7 a.m. to 2 p.m.

She then listed the items that will be picked up during Spring Cleanup Week.

Request approved from the Police Department to declare two vehicles as surplus.

Police contract approved effective July 1, 2010 through June 30, 2011.

Human Resources Manager Stephanie Romagnoli stated there was one correction. She stated the increase for the uniform allowance should be \$850.

City Council's 2010 Goals and Objectives approved. Contract approved with GATSO USA for the Automated Traffic Enforcement Project.

Councilmember Lange stated he had contacted the Davenport Police Department concerning their camera usage and updated City Council on his findings. He then asked who would determine whether or not a vehicle is in violation.

Police Chief Coderoni stated city personnel would review the results online and make that determination and the company would not be involved. He pointed out that violators would not be ticketed but rather would receive a letter informing them of the violation. He stated payment could be sent to the vendor, the city (not a good idea), or the fine could be paid online.

There was discussion on the personnel needed for this activity as well as the length of the amber lights.

Chief Coderoni stated the survey will indicate whether or not the length of the amber lights should be adjusted. These adjustments would be made by Muscatine Power & Water.

There was discussion on the signage indicating the use of cameras as well as placement of the cameras on highways.

Chief Coderoni, speaking in reference to the placement of cameras on highways, stated that Cedar Rapids is in the process of installing cameras on Interstate 380. He stated that to do so does require the approval of the Iowa Department of Transportation.

Chief Coderoni pointed out the survey will indicate whether there is a problem at the intersections monitored by GATSO. They will make the determination on whether the cameras are needed or not.

Under comments, Councilmember Roby reminded everyone the Census forms are being mailed out this week. She stated the numbers are very important and encouraged everyone to fill them out and return them.

City Administrator Mandsager stated that at the February 18, 2010 City Council meeting, Council had agreed to take action on the request from Dan Clark and Kent Sissel concerning the establishment of the Alexander Clark Historical District. He asked City Council if they would consider a motion to establish this district.

Motion approved to establish the Alexander Clark Historical District.

Councilmember Fitzgerald asked if there would be any expense to the city.

City Administrator Mandsager stated Mr. Clark and Mr. Sissel would be coming back to City Council to share their various ideas. He stated there is no cost to the city and there are no legal connotations.

City Administrator Mandsager stated he had received an e-mail earlier today from Muscatine Power & Water concerning the installation of LED street lighting. He stated they are seeking a letter of support from the city. He stated he would be submitting the letter tomorrow if there were no objections from City Council tonight.

City Administrator Mandsager stated the city would be performing energy audits and assessments before applying for grants to assist in upgrades to the boilers at city hall, the library and art center as well as to the lighting system at Kent Stein Park.

City Administrator Mandsager stated payment had been received from the State of Iowa for the signs installed for Dick Drake Way and that the guardrails had been installed on Cedar Street. He stated the Police Department will be submitting a grant application for \$19,000 for the replacement of AED's in the squad cars. He then stated he will be attending the IMMI conference in Iowa City on March 24-26, 2010 but will be available by e-mail should the need arise.

The meeting adjourned at 7:45 p.m.

Richard W. O'Brien, Mayor

ATTEST:
Gregg Mandsager, City Administrator

CITY OF MUSCATINE
BILLS FOR APPROVAL
March 4, 2010

General Fund

African American Museum Services (1) \$110.00; Amazon DVD's/Books (35) 3,629.39; Baker & Taylor Entertainment Books (3) 961.03; Boss Supplies (1) 107.00; Carriage Paper Products Supplies (1) 145.20; Fedex Shipping Charge (1) 38.31; Gale Books (1) 25.56; Ingram Library Services Books (1) 2.39; Library Advantage Supplies (1) 140.00; Neopost Leasing Rental Fee (1) 246.54; Office Machine Consultants Rental Fee/Services (3) 292.99; A-1 Quality Tire & Car Care Services (2) 60.35; Affiliated Computer Service Supplies (1) 1,282.26; Alexis Fire Equipment Parts (1) 46.91; Alliant Energy Utilities (5) 2,818.15; Arnold Motor Supply Supplies (1) 34.63; ASC Pumping Equipment Supplies (1) 509.05; Bayfield Snow Removal Services (1) 1,300.00; Mike Berlin's Pro Shop Clothing Purchase (1) 280.95; Beyond Technology Supplies (1) 68.00; Bosch Pest Control Services (1) 90.00; Boss Supplies (1) 24.78; Clary's Safety Equipment Parts (1) 216.68; CPSE Inc. Application Fee (1) 375.00; Danny's Service Supplies (1) 35.00; Davis Equipment Corporation Parts (1) 130.98; Dell Marketing Computer Hardware/Supplies (3) 1,462.18; DFI Total Business Solutions Supplies (1) 200.60; Direct Appliances Supplies (1) 39.04; Mark Even Reimbursement (1) 50.00; Fareway Stores Inc. Food (1) 28.03; Farm Plan Supplies (4) 112.74; Fastenal Company Supplies (1) 89.99; Flaming Embers Refund (1) 67.50; Freers & Sons Tree Service Supplies (1) 250.00; General Asphalt Construction Materials (1) 1,363.00; Genesis Health System Services (1) 815.10; GMCCI Dues (1) 101.75; Growing Sustainable Registration (1) 20.00; Guest Services Meals (1) 129.30; Harper's Cycling & Fitness Services (1) 18.00; Greg Hazelett Scholarship (1) 50.00; Insight Direct USA Supplies (3) 434.88; Integrated Technology Services (1) 216.00; Investment Enterprises Rental Fee (1) 300.00; Iowa Department of Public Health Registration (2) 245.00; Iowa League of Cities Registration (1) 15.00; Iowa Memorial Granite Co. Services (1) 600.00; Iowa Parks & Recreation Dues (1) 130.00; Iowa Telecom Telephone Charges (16) 1,523.03; Jerry Roush Refund (1) 25.00; JS Fire Inc. Services (6) 216.00; Kesslers Team Sports Inc. Rec Supplies (1) 76.40; Kriegers Inc. Parts (1) 13.59; Nancy Lueck Reimbursement (1) 370.00; Gregg Mandsager Reimbursement (5) 339.20; Matthews Office Equipment Supplies (3) 49.32; Menard's Supplies (19) 478.32; Motion Industries Inc. Parts (1) 28.16; MAGIC Aid to Agencies (1) 5,622.00; Muscatine Humane Society Subsidy (1) 3,333.33; Muscatine Physical Therapy Services (3) 768.00; Muscatine Power & Water Utilities (7) 483.68; Muscatine Tire & Wheel Services (1) 34.17; NAPA of Muscatine Parts (1) 14.98; Nu-Trend Accessibility

Internal Service Fund

Payroll Account Pay

Section 8
Various Landlords : Correction to Estimated March
April Transfer : 17,966.19; Internal Revenue Service
Federal Tax Withholding : 80,481.03; Treasurer, State of Iowa
State Tax Payment : 5,733.89; Winmark BC/BS Health &
Dental has Payment : 44,000.00; Winmark BC/BS Health &
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City of Muscatine Receipts
For the Month of Oct. bet 2000

Apartment Receipts: Finance \$289,784.25; Parks 146,653; Building & Zoning 196,010; Police 408,000; Art Center 1,488.10; Library 52,739; Cemetery 5,250.00; Golf Course 25,024.94; WPCP 249,110; Parking Meters 31,952.47; Parking Permits 1,890.00; Sewer & Sanitation 4,123.41; Trunking Fines 1,890.00; Transfers Station 2,487.00; Transfer Fees 19,888.77; Grants and Reimbursements 464,300.22; 14,401.90; Housing Reimbursements 50,036.22; Bond Proceeds 206,773.21; Opt Out 2,416,607.77; Property Tax 2,416,607.77; Direct Deposits: 218,404.26;

Journal Entries - October 2009

October Health Insurance Cost Distribution	3,675.04
October Fuel and Maintenance Charges	10.40
October Office Supply Charges	11,117.00
October Postage Charges	79.20
October	
TRF \$10,008.75	45
Interest	85,635.95
Interdepartmental Receipts	21,283.21
Subtotal	9,959.00
Grant Payments	1,450.00
Grant	28,044.19
Interest	11,254.67
Subtotal	9,103.11
Grant Payments	252.00
Perforability Receipts	536.16
Grant	11,542.50
Interest	51.99
Subtotal	1,630.15
Program	8,239.70
Grant	1,404.03
Interest	476.00
Subtotal	1,410.83
TRF \$10,008.75	45

Charges 318.28; October Transfer

[illegible]

Healthcare Pharmacy Supplies (1) 1656; Wilson True Value Hardware Supplies/Credit (2) 2188; Total
(2) 50347; RK Dixon Services (1) 478.08; Unity
Telephone Numbers (1) 54; MVA of Nebraska Supplies
Charges (1) 358.00; Iowa Telecom
Posterior Coach Sales Parts (3) 212.99; Iowa Department of
Communications Engineering Paper (1) 347.08;
LC Supplies (1) 61.28; Cartridge World Supplies (1)
200; All Med Supply (1) 1183.66; Bound Free Medical
(1) 1720; Macee Butte Company Reprint (1)
Carver Aero Inc. Services (1) 3,750.00; Culligan Inc.
Wilson True Value Hardware Supplies (3) 21.28;
Wilson True Value Hardware Co. Supplies (1)
(1) 480.00; Utility Equipment Co. Supplies (1)
Specialists Rental Fee (1) 45.70; Subfinger Exchanging
6,622.00; Orshtien Phone (1) 51.36; Phelps Uniform
(1) 8.94; M&GIC Aid to Agencies (1) 10.41;
Leeland's Supplies (1) 8.94; Matthews Office Equipment Supplies (1) 10.41;
(2) 80.77; Wilson True Value Hardware Supplies
(1) 233.70; Wameter Industrial
Tony's Tropical Pets Supplies (1) 15.18; United
Corporation Long Distance/Rex Charges (2)
(1) 1113.80;
(1) 203.64; telephone lscu inc. Supplies (1) 1113.80;
(1) 158.52; Smith Filter Corporation Supplies
Technology Services (1) 220.70; Sigma-Alkath
Science Supplies (1) 155.77; Siemens
Science Supplies (1) 155.77; Siemens

Internal Service Funds

(6000) Super West of Mississippi Serv. (1) 60.00
2200 Specialized Petroleum Partn./Retail Fee (2)
2476.63 Petroleum Sps./Supplies (2) Smith Co. Pats. Ind.
959 Quad City Sprng Pans (1) 932.70 Rwy City Ind.
Services/Petrol Fee (4) 71.80 Pipeco Inc. Pats. (1)
Schwartz Pans (1) 1648 Phelps Unionm. Specialists
198.03 NAPA of Mississippine Parts/Credit (3) (316.55)
Supplies (1) 8.26 Mississippi Truck & Trailer Services (2)
Pans (1) 162.35 Matthews Office Equipment
Services/Parts (2) 2,399.68 Merritt Equipment of Iowa-
Automotive Parts (1) 1,028.45 Krieger's Inc.
Battery Supplies (1) 89.95 Keystone
Henderson Products Inc. Pats. Parts (1) 1,700.00
Services (1) 25.00 Hawkeye International Parts (1)
Company Parts (1) 650.36 Harper's Cycling & Fitness
& Black Oil Inc. Fuel-Pan (1) 15,808.53 Elliott Equipment
305.65 Model Motor Supply Parts/Credit (34) 1,797.98
1-Quality Tire & Car Care Services/Supplies (9)

Municipal Housing Programs

Leeward's Supplies) (1) 154-89; Miller & Heaton Insurance
Company (1) 6000; Lupton & Sons Heating Services (1)
Payment (1) 1786655; Kelly Heating, Cooling Services
(1) 93124; Grandbridge Real Estate Mortgage
Services (1) 265-39; Alliant Energy Utilities (1) 1808-98; Boss
& Sons (1) 1204-04; AOT Security Systems Inc. Services
(1) 84-33; Wilson Pure Value Hardware
(1) 8010; VanHelder
(1) 25017; Senior Resources Inc. Services (1)
(1) 283-33; Quaid City Times/Muscatine Journal
Products Services (1) 2450; Plumb Supply Company
(1) 1037; Phoenix
(1) 14175; Orchard Supply (1) 1037; Phoenix
Control (1) 222-55; Oak Creek Pest Control
(1) 288-04; Mearns's Duplicates (1) 478-04; City of Muscatine
(1) 280-183; Lupton & Son Printers Services (2)
(1) 3500; J Lam Co. Supplies (1) 5300; Kone Inc.
(1) 515-45; Channel One Video Duplicates
(1) 3478-83; Atwell
Security Systems (1)

(1) 292.06; Muscatine Power & Water
Utilities (2) 2,371.75; Oak Park Control Services (1)
25.05; Plumb Supply Company (1) 115.60; Quad
City Times/Muscatine Journal Advertising (2) 250.17;
Landmark Industrial Supplies (1) 48.82; Wilson True Value
Hardware Supplies (1) 2.50; Alliant Energy Utilities (1)
2.67; Clerk of Court Services (1) 95.00; Farm Plan
Services (1) 103.66; Lupton & Lupton Farm Services (1)
01.00; Menard's Supplies (2) 5,818.74; Muscatine Power &
Water Utilities (1) 5,818.74; Muscatine Power &
Water Utilities (3) 4.88; Oak Park Control Services (1)
61.60; Plumb Supply Company (1) 61.60; Plumb
Supply Company Cleaning Services (1) 61.60; Plumb
Supply Company Supplies (1) 26.24; Wilson True Value
Hardware Supplies (2) 21.65; Court Services (1)
05.00; Kirkvalsey Housing Authority Rent Payment (1)
71.72; Lupton & Lupton Farm Services (1) 138.00; City
of Muscatine Housing Mistake Services (1) 200.60;
Muscatine Power & Water Utilities (1) 75.00; Newbury
Management Company Rent Payment (1) 72.14; Hy-Vee
Food Stores Food (1) 10.99; Lupton & Lupton Farm
Services (1) 16.50; Chad Hoom Rehabilitation (1)
72.41; Total \$85,750.15

Associates/Lease fee 20.00; 92.25. Uniform specialists
Services/Lease fee 4.00; 92.25. Uniform specialists
Parts (1) 394.7; S.J. Smith Co. Supplies (1) 23.55;
Securities Insurance Company (3) 5,070.00;
Smith Sales Service Parts/Services (2) 136.1; Stach
Gimove Judgment (1) 319.56; Standard & Associates Inc.
Distance/Lease Charges (29) 160.36; Temp Associates
Temporary Services (1) 4.75-5.00; Tim Hill Real Estate
(1) 100.00; Trans-lux Equipment Registration (2)
10,000.00; United States Cellular Cell Phone Charges (1)
105.70; United States Postal Service Postage (1)
4,000.00; Unity Physician Clinics Services (1) 64.50;
Vanlier Industrial Inc. Credit/Supplies (1) 143.38;
Wagon Service Plus Hardware Supplies (25) 472.22; Chad
Nixon Scholarship (1) 50.00; 3-D Looksmith Services (1)
49.70; Total \$50,813.40
Just & Kenyon Fund
Christopher Cole Services (1) \$100.00; Betty Collins
Reimbursement (1) 16.50; Hy-Wee Food Stores Food (3)
271.4; Oriental Trading Co. Supplies (1) 69.87; Sally Potter

Trust & Agency Fund

271.4; Oriental Trading Co., Supplies (1) 69.87; Sally Potter
 Reinforcement Co., Services (1) 16.50; Hy-Vee Food Stores, Food
 Unemployment Claim Services (1) 134.00; Betty Collins
 Services (1) 375.00; Jack's Senior Services (1) 450.00; Strawberry Farm Bed
 and Breakfast Services (1) 100.00; Sycamore Farm Printing
 Services (1) 212.00; Total \$130,371.
Capital Improvement Fund
 Concrete Products Supplies (1) 480.00; Shomeaker-
 Healand Services (1) 293.40; Sign Pro Services (1) 173.21;
 Stanley Consultants Services (1) 3,370.00; Stanley
 Consultants Services (1) 3,770.00; Ventra & Kimm
 Services (2) 21,956.78; Muschette Bridge Co., Services (1)
 77,352.88; Total \$15,702.76
Enterprises & Utility Fund
 The Media East Advertising (1) \$5.95; Excels Mobile
 Communications Services (1) 3,750.00; Iowa Telecom
 Services (1) 2,500.00; Matthews Office Equipment
 Supplies (1) 368.00; Phelps Union Specialists Services
 (1) 1,300.00; Telecite Corporation Long Distance Charges (1)
 10.95; Temp Associates Temporary Purchases (1) 180.00;
 Vent View Solutions Temporary Purchases (1) 10,471.99

Distributing Inc. Parts (3)

[illegible]

Midwest Inc. (1) 6026.08
Raystone Laboratories (1) 6026.08
Control Inc. (1) 4500. Fastenal Company
(1) 774. Hawkeye State Scale Inc. Services (1)
222.55; Iowa Telecom Telephone Charges (1) 128.20; Kelly
Cooling Services (1) 375.90; Menards Supplies (2)
102.15; Team Staffing Solutions (1) 203.36;
Changes (2) 20.25; Temp Association Temporary Services
(1) 253.38; United States Cellular Call Phone Charges (2)
537.38; Value Hardware Industrial Supplies (1) 222.55
Value Hardware Supplies (1) 148.24; Arnold Motor Supply
(1) 92.39; Budget Lighting Inc. Supplies (1) 91.20;
Changes (1) 248.00; Crafts First Aid & Safety Supplies (1)
500.00; Justine Freedom Inc. Fastenurseries (1)
500.00; Grainger Supplies (2) 135.94;
Changes (1) 185.95; Iowa Department
of Natural Resources Certification (1) 6000.00; Iowa Telecom
Telephone Charges (1) 118.55; WPCRA Registration (4)