

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – December 16, 2010

Mayor Dick O'Brien called the City Council meeting for Thursday, December 16, 2010, to order at 7 p.m. Councilmembers present were Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange.

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

#20390. Councilmember Shihadeh moved to approve the minutes of the December 2, 2010 City Council meeting and the December 9, 2010 In-Depth meeting. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#20391. Councilmember Lange moved the Consent Agenda be approved as follows: First reading for a new Class C Liquor License and Sunday Sales Permit for Samz Sports Bar, 103 Ford Avenue – Noe Sanchez (pending final paperwork); renewal of a Class A Liquor License with Sunday Sales Permit for Flaming Embers, 131 W. 2nd Street – Flaming Ember Inc.; renewal of a Class C Liquor License and Sunday Sales Permit for The Button Factory Woodfire Grille, 215 W. Mississippi Drive – ATOM LLC; filing of Communications A-H; and Bills for Approval totaling \$1,889,411.32. Seconded by Councilmember Natvig. All ayes; motion carried.

#20392. Councilmember Fitzgerald moved the request from Huber's Nuisance Control for pigeon control at MP&W's generating station as well as elsewhere within the city limits be in effect through December 16, 2011 with the provision the Police Department be notified 24 hours in advance of any nuisance control activities. Seconded by Councilmember Bynum. All ayes; motion carried.

#20393. Councilmember Roby moved to approve the second reading of an ordinance providing for the division of taxes levied on taxable property in the 2010 Addition to the Highway 38 Northeast Urban Renewal Area. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and second reading of ordinance approved.

#20394. Councilmember Bynum moved to approve the first reading of an ordinance adopting the Code of Ordinances and Supplement #8. Seconded by Councilmember Roby. All ayes: Councilmembers Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and first reading of ordinance approved.

#20395. Councilmember Lange moved the resolution be adopted accepting completed work performed under Closure of Ravines #2, #3, and #4 at the Muscatine County Landfill and authorizing final payment to Sulzberger Excavating. Seconded by Councilmember Natvig.

Councilmember Shihadeh asked if the city would receive some type of notification from the IDNR concerning the completion of this project.

Solid Waste Manager Laura Liegois stated the engineer for this project, HLW, will send the final report to the IDNR and once it is received, they will send the city a letter and permit amendment indicating the project has met their specifications.

Councilmember Shihadeh asked how long it would take.

Ms. Liegois stated it will probably take approximately 60 days.

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

#20396. Councilmember Roby moved the resolution be adopted accepting the low bid from S&H Construction in the amount of \$21,750 for the Muscatine Owner-Occupied Housing Rehabilitation Program for 104 George Street. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#20397. Councilmember Fitzgerald moved to authorize the purchase of a video inspection trailer system from Elliott Equipment in the amount of \$84,330.27. Seconded by Councilmember Shihadeh.

Councilmember Lange stated it was his understanding the city did not go through a bidding process for this piece of equipment.

City Administrator Gregg Mandsager stated Councilmember Lange was correct. He stated it was determined the city could use the bids from the City of Spencer.

Councilmember Roby asked why the remote control was needed.

Public Works Director Randy Hill stated the remote will allow operation of the equipment from within manholes as opposed to walking back to the trailer.

Councilmember Fitzgerald asked why we used the bid from Spencer.

Public Works Director Hill stated it was determined the city could use the same bid as long as the low bidder honored the bid they had submitted to Spencer.

Councilmember Fitzgerald asked if this purchase was for replacement purposes.

Public Works Director Hill answered yes. He stated the current camera is approximately 10 years old. He then stated that in addition to meeting EPA and IDNR regulations, it also meets NPDES requirements. He stated this piece of equipment, if used on a regular basis, will show how the city is maintaining its sewers. He also stated it was a great source of documentation. He ended by saying that new subdivisions are now required to videotape their sewer systems.

Councilmember Shihadeh asked what the life expectancy was for this piece of equipment.

Public Works Director Hill stated he would be comfortable saying it will last at least 10 years.

City Administrator Mandsager stated that regular inspections of the city's sewer systems will relieve the city's liability when it comes to sewer issues.

Councilmember Fitzgerald asked if he was referring to sewer backups, and City Administrator Mandsager answered yes.

Vote – All ayes; motion carried.

#20398. Councilmember Natvig moved to approve the posting of "No Parking" on the cul-de-sac of Bonnie Drive and the increase of the speed limit on Dick Drake Way from 35 mph to 40 mph. Seconded by Councilmember Shihadeh.

Councilmember Fitzgerald, speaking in reference to the cul-de-sac on Bonnie Drive, asked if the Traffic Committee had ever discussed the posting of "no parking during snow removal".

Public Works Director Hill stated there are not a lot of people parking on the street during snow removal; however, there is a problem at the cul-de-sac which is why this action is being requested.

Vote – All ayes; motion carried.

#20399. Councilmember Roby moved to approve Change Order #5 for the Hershey Avenue Sewer Separation Project II. Seconded by Councilmember Natvig.

Councilmember Bynum asked if all pre-existing conditions found during this project will be paid for by the city.

Public Works Director Hill answered no. He stated in this particular case, the property owner had a sewer no one knew existed and it was necessary to divert it away from the storm sewer. He stated this discovery was no one's fault but is something that needed to be taken care of. He stated staff did not feel it would be appropriate to make the homeowner pay for the work involved.

Vote – All ayes; motion carried.

#20400. Councilmember Fitzgerald moved to approve the annual financial report for the fiscal year ending June 30, 2010. Seconded by Councilmember Lange. All ayes; motion carried.

Councilmember Bynum, speaking in reference to the city's annual financial report, recognized Finance Director Nancy Lueck for her preparation of the report.

#20401. Councilmember Fitzgerald moved to approve a professional services agreement with Anderson-Bogert Engineers & Surveyors Inc. for the re-design and upgrade of the existing lighting system for the primary runway and parallel taxiway serving runway 6/24. Seconded by Councilmember Roby. All ayes; motion carried.

#20402. Councilmember Lange moved to approve Change Order #3 for the Sunset Park Resident Center Addition. Seconded by Councilmember Natvig.

Councilmember Roby asked why items such as the ones contained in this change order were not part of the original bid process.

Housing Administrator Dick Yerington stated that electrical work was completed as per the City Code; however, it was later realized additional outlets would be needed. In addition, it was determined that security lights should be installed. He stated the colorant was added to the concrete because it was felt texture would be more appealing than plain concrete. Items such as these are not unusual in new construction.

Vote – All ayes; motion carried.

#20403. Presented for City Council's consideration is a request to issue a purchase order to Fisher Scientific in the amount of \$5,295.39 for an autoclave for the Water Pollution Control Plant. Seconded by Councilmember Roby. All ayes; motion carried.

Under comments, Councilmember Shihadeh took the opportunity to wish everyone a happy holiday and peaceful new year.

Councilmember Bynum asked when Hershey Avenue would be opening.

City Administrator Mandsager stated the goal is to have it opened by 5 p.m. tomorrow.

Public Works Director Hill stated that it should be opened by this weekend.

Councilmember Bynum asked when the traffic cameras would be installed.

City Administrator Mandsager stated the Police Department is currently working with Public Works concerning a couple of areas that need paint striping which will probably be handled by Gatso. He stated the installation should start at any time now.

Public Works Director Hill stated the work is getting underway.

Councilmember Bynum, speaking in reference to our first measurable snow fall of the season, asked about the city's policy on blowing snow into the streets, keeping sidewalks clean, and noise caused by snow blowers.

City Administrator Mandsager stated putting snow into the traveled portion of the streets is not allowed. People caught doing so will be notified by the Police Department to stop or run the risk of being ticketed. He stated there is no ordinance pertaining to ordinances unless the operator is blowing the snow into the street. He stated that snow must be removed from sidewalks within 24 hours.

Councilmember Bynum stated it was his understanding that operating snow blowers in the morning is okay.

City Administrator Mandsager stated it would be at a police officer's discretion; however, the city is not going to prevent people from removing snow from their sidewalks.

Councilmember Bynum then wished everyone a Merry Christmas and Happy New Year.

Councilmember Roby wished everyone a Merry Christmas and Happy New Year. She stated she is looking forward to the upcoming budget sessions.

Councilmember Lange wished everyone a Merry Christmas and a healthy and prosperous new year.

Mayor O'Brien wished everyone a Merry Christmas and Happy New Year.

#20404. Councilmember Shihadeh moved the meeting be adjourned at 7:40 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

Richard W. O'Brien, Mayor

ATTEST:

Gregg Mandsager, City Administrator