

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – March 17, 2011

Mayor Dick O'Brien called the City Council meeting for Thursday, March 17, 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.

#21496. Councilmember Shihadeh moved to approve the minutes of the March 3, 2011 City Council meeting and the March 10, 2011 In-Depth meeting. Seconded by Councilmember Bynum. All ayes; motion carried.

#21497. Councilmember Lange moved the Consent Agenda be approved as follows: Filing of Communications A-D and Bills for Approval totaling \$1,902,164.52 as well as receipt summaries and journal entries for November and December 2010 and January 2011. Seconded by Councilmember Roby. All ayes; motion carried.

#21498. Councilmember Shihadeh moved to approve the request from Senior Resources for a "Hats Off to Seniors" fund raiser on May 24-26, 2011 between the hours of 7:30 a.m. and 5:30 p.m. at the intersections of Parham and Mulberry and Cedar and Parham. Seconded by Councilmember LeRette.

Councilmember Roby stated she will not vote against this request; however, she is opposed to these types of events for safety reasons. She stated she wanted to make her opinion known.

Vote – All ayes; motion carried.

#21499. Councilmember Natvig moved the resolution be adopted setting a public hearing to consider the vacation of certain rights-of-way as it pertains to Elm Street and the alley right-of-way in Block 42 of Original Town. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21500. Councilmember Roby moved the resolution be adopted approving the final plat for Salvatore's Subdivision. Seconded by Councilmember Lange.

Councilmember Shihadeh asked if this subdivision would be established where the #1 hole is on the Whispering Pines Golf Course.

Community Development Director Steve Boka stated the property in question is the green space that extends out from the clubhouse to the golf course.

Councilmember Shihadeh asked how many lots are involved.

Mr. Boka stated that tonight's action will consist of two lots with the golf course being sold separately.

Councilmember Bynum asked if the clubhouse was still going to be used in conjunction with the golf course.

Mr. Boka answered yes. He stated that even though the properties will have separate owners, the clubhouse will still act in the same capacity as it has in the past.

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

#21501. Councilmember Natvig moved to approve the first reading of an ordinance amending Title 6 Fire Regulations, Chapter 1 Fire Department Regulations, Chapter 2 Open Burning, Chapter 4 Fireworks and Explosives, and Chapter 5 Fire Inspections. Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21502. Councilmember Bynum moved the resolution be adopted approving the contract and bond from First Construction Group Inc. of Burlington, Iowa, in the amount of \$1,299,202 for the South End Fire Station Project. Seconded by Councilmember Fitzgerald.

Councilmember Lange asked what the city's share of the cost will be and what budget it will be taken from.

Fire Chief Jerry Ewers stated the city's share of the project is estimated at \$441,000.

Councilmember Lange then asked which part of the city's budget the city's share would be taken from.

Finance Director Nancy Lueck stated the city had allowed for \$250,000 in the bond issue scheduled for June 1, 2012. She stated that should some of the other projects included in the bond issue come in lower, this project could be included in that bond issue. She stated if that does not happen, TIF proceeds will probably be used.

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

#21503. Councilmember Fitzgerald moved the resolution be adopted authorizing the contract, rates and fees for permit-required confined space rescue by the Fire Department. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21504. Councilmember LeRette moved the resolution be adopted awarding the contract for the Hershey Avenue Reconstruction Project to Sulzberger Excavating in the amount of \$1,078,751.93. Seconded by Councilmember Shihadeh.

Councilmember Natvig stated seven bids were received for this project and that six of the estimates were close but the bid from Sulzberger Excavating was quite a bit lower. He asked if their bid documents had been reviewed to ensure that nothing was left out.

City Engineer Jon Lutz stated that Sulzberger Excavating is a local contractor, which is an advantage. He stated they will be able to keep costs down by using recycled concrete and by having a fixed cost for the borrow area for grading. He stated their pavement removal will be less expensive as well. He stated these things combined gave them the advantage.

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

#21505. Councilmember Shihadeh moved the resolution be adopted setting a public hearing for the Cedar Street Utility Project for Thursday, April 7, 2011, at 7 p.m. Seconded by Councilmember Bynum.

Councilmember Shihadeh asked if he should continue to abstain from voting on this project.

Acting City Administrator Randy Hill recommended that Councilmember Shihadeh remain consistent and abstain from voting on this project.

Councilmember Lange asked what Phase II would encompass.

Mr. Lutz stated the indication from Council was they did not want the paving for this project to take place in 2012. He stated this will allow for the utilities in that area to be reworked.

Councilmember Lange asked Mr. Lutz when he thought the utility work would occur.

Mr. Lutz stated that the utility work is somewhat independent from the city. He stated they will be in charge of scheduling the work but he expected it will be sometime during the summer of 2012.

Councilmember Lange stated it was his understanding paving will still start in 2013.

Mr. Lutz stated it will probably begin in June 2013 once school is out.

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

#21506. Councilmember Fitzgerald moved the resolution be adopted authorizing the building official to proceed with specified work on the premises located at 1310 Orange Street. Seconded by Councilmember Roby.

Councilmember Roby thanked Ken Rogers for providing Council with such a detailed report. She stated it makes Council's decision to approve this action easier.

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

#21507. Councilmember Lange moved the resolution be adopted authorizing the building official to proceed with specified work on the premises located at 405 VanHorne. Seconded by Councilmember LeRette.

Councilmember LeRette stated issues with this property have been going on for years.

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

#21508. Councilmember Bynum moved the resolution be adopted awarding a contract under the 2009 Housing Rehabilitation Program for 312 Green Street to North Construction in the amount of \$34,991. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21509. Councilmember Shihadeh moved the resolution be adopted awarding a contract under the 2009 Housing Rehabilitation Program for 305 Pond Street to Daniels' Construction in the amount of \$29,835. Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21510. Councilmember Natvig moved the resolution be adopted accepting completed work under the 2009 Housing Rehabilitation Program for 1720 Hershey Avenue and authorizing final payment to Daniels' Construction. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Roby, and Lange. Motion carried and resolution duly adopted.

#21511. Councilmember LeRette moved to accept the donation of an airport compass rose for the municipal airport. Seconded by Councilmember Natvig.

Councilmember Roby asked how the compass rose would be installed.

Community Development Director Boka stated it is actually painted and then sealed when it is done.

Councilmember Roby stated she felt this was a nice honor for Ms. Rigler.

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

#21512. Councilmember Roby moved to authorize the issuance of a purchase order to Muscatine Bridge Company in the amount of \$13,750 for the removal and replacement of 1,600 square feet of the parallel taxiway to primary runway 6/24 at the municipal airport. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#21513. Councilmember Fitzgerald moved to approve the lease with Xerox for a Work Centre 3550 for the Community Development Department. Seconded by Councilmember Natvig. All ayes; motion carried.

#21514. Councilmember Fitzgerald moved to approve the scope of services and fee proposal from Public Financial Management Inc. Seconded by Councilmember Shihadeh.

Councilmember Lange asked what the city had been paying the former provider.

Finance Director Lueck stated that in the past the fees paid to the financial consultant that was used in connection with bond issues were based on the amount of the bond issues. She stated the city is proposing to use PFM for bond issues. In addition they will be asked to provide a financial analysis of the West Hill Project, TIF projects in connection with proposed changes to the Urban Renewal Plan, and future bond issues. She stated the city would like to see more financial analyses performed.

Acting City Administrator Hill stated an apple-to-apple comparison cannot be made because of the scope of services.

Councilmember Natvig stated he sees this as being the prudent thing to do.

Ms. Lueck stated that by utilizing PFM, it will allow the city to do more work on the city's debt in advance of the budget process.

Vote – All ayes; motion carried.

#21515. Councilmember Roby moved to authorize the purchase of two leaf boxes in the amount of \$11,342 from Bonnell Industries of Dixon, Illinois. Seconded by Councilmember LeRette. All ayes; motion carried.

#21516. Councilmember Lange moved to set Spring Cleanup Week for April 25-29, 2011. Seconded by Councilmember Shihadeh.

Councilmember Lange asked if the city would be offering Friday leaf pickup again.

Acting City Administrator Hill answered yes, stating it will be done on an on-call basis.

Vote – All ayes; motion carried.

#21517. Councilmember Bynum moved to approve the three-year uniform contract with Phelps, The Uniform Specialists. Seconded by Councilmember Roby. All ayes; motion carried.

Under comments, Councilmember LeRette wished everyone a Happy St. Patrick's Day. He asked those going out to celebrate to have a designated driver.

Councilmember Roby reminded everyone about the city's website at www.muscatineiowa.gov. She stated that the Public Works Department has published information on the city's flood preparation plans. She stated it has so much information available to the public.

Acting City Administrator Hill stated that Phase II of the Hershey Avenue Sewer Separation Project will get underway on March 21, 2011. He stated that Main Street will be closed from Hershey Avenue to Lucas Street and that Green Street will be open. He stated that when Main Street is done, the contractor will begin work on W. 3rd Street which means that Green Street will then be closed. He stated that work on 3rd Street will proceed up to Cherry Street. He then stated that the traffic control cameras located at Mulberry Avenue and the Bypass (westbound), University Drive and the Bypass (westbound) and Park Avenue and Cleveland Street (north and south approaches) will go into operation on Friday, March 18, 2011.

Mayor O'Brien thanked Solid Waste Manager Laura Liegois for her work in getting the recycling program started.

#21518. Councilmember Shihadeh moved the meeting be adjourned at 7:50 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

Richard W. O'Brien, Mayor

ATTEST:

Randy Hill, Acting City Administrator