

**CITY OF MUSCATINE**  
**REGULAR CITY COUNCIL MINUTES**  
Council Chambers – 7:00 p.m. – October 15, 2015

Mayor Hopkins called the City Council meeting for Thursday, October 15, 2015, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Natvig, Shihadeh, Bynum, and Spread.

The meeting began with the Pledge of Allegiance.

The first item on the agenda was a brief presentation by Greg Jenkins of the GMCCI. Speaking in reference to the hotel and convention center project that is now underway, he stated there is concern about the integrity of the building located at 120 W. 2<sup>nd</sup> Street. He stated he has discussed the matter with city staff and the plan is to buy the building and then demolish it.

Mr. Jenkins stated he was present tonight to ask for a consensus from City Council to modify the TIF agreement to allow for the building to be demolished and to move the project forward. He stated the hotel will acquire that ground when construction is completed.

Councilmembers Rehwaldt, Natvig, Shihadeh, Bynum, and Spread agreed with the recommendation. Councilmember Fitzgerald did not.

#23159. Councilmember Natvig, seconded by Councilmember Spread, moved the Consent Agenda be approved as follows:

- Regular City Council Minutes for October 1, 2015 and In-Depth City Council Minutes for October 8, 2015
- Renewal of a Class “C” Beer Permit and Sunday Sales for New York Dollar Store, 109 East 2<sup>nd</sup> Street – Antonio Sosa (pending inspections)
- Request Approved for Use of City Property for the 2015 Holiday Stroll on Friday, December 4, 2015
- Filing of Communications 12A-E
- Bills for Approval totaling \$1,765,721.69

Vote – All ayes; motion carried.

**PUBLIC HEARING**

Mayor Hopkins stated this public hearing was being held to hear public comment on the Environmental Assessment availability for the proposed improvement of Mississippi Drive from Main Street to the Norbert F. Beckey Bridge.

City Administrator Gregg Mandsager stated this public hearing completes the public comment process required as part of the Environmental Assessment. He stated that in approximately three to five months the city should have the FONSI and be done with the EA process. He stated the Mississippi Drive Corridor Project kicked off last month with a public meeting and that the next public meeting will be held on November 10, 2015. He then introduced Jeff Hillegonds who is the Project Manager from Stanley Consultants.

Mr. Hillegonds stated that handouts concerning the EA process were available on the table outside the Council Chambers. He stated tonight’s hearing is the last public session required as part of the EA process.

Mr. Hillegonds then talked about the Mississippi Drive Corridor Project limits which extend from Grandview Avenue/Mississippi Drive up to the Norbert Beckey Bridge. He stated the project has been divided into four areas which are Carver Corner Area, High Sidewalk/Bluff Area, Downtown Area, and the HNI/2<sup>nd</sup> Street Area.

Mr. Hillegonds stated that Phase I of the project will end with the preparation of the final environmental document (FONSI) and the final Section 4(f) Statement siting no significant impact.

Mr. Hillegonds then touched on the corridor project itself. He discussed the options for the corridor project pointing out that the options include a “No Build” option which was not a viable option. He stated the final recommendation is a three-lane configuration. He stated the final recommendation for the Carver Corner Area is the realignment of the intersection.

Councilmember Natvig asked how long it will take to complete Phase I, and Mr. Hillegonds stated it will be approximately three to five months.

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

#23160. Councilmember Rehwaldt moved to close the public hearing. Seconded by Councilmember Natvig. All ayes; motion carried.

#### **PUBLIC HEARING**

Mayor Hopkins stated this public hearing concerns a proposed Urban Renewal Plan Amendment for the Consolidated Muscatine Urban Renewal Area.

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

#23161. Councilmember Fitzgerald moved the public hearing be closed. Seconded by Councilmember Spread. All ayes; motion carried.

#### **PUBLIC HEARING**

Mayor Hopkins stated this public hearing concerns a proposed Development Agreement with Union Tank Car Company and authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement.

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

#23162. Councilmember Shihadeh moved the public hearing be closed. Seconded by Councilmember Natvig. All ayes; motion carried.

#### **PUBLIC HEARING**

Mayor Hopkins stated this public hearing concerns the proposed Community Development Block Grant Revitalization Project.

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

#23163. Councilmember Natvig moved the public hearing be closed. Seconded by Councilmember Spread. All ayes; motion carried.

#23164. Councilmember Bynum moved the resolution be adopted approving the Urban Renewal Plan Amendment for the Consolidated Muscatine Urban Renewal Area. Seconded by Councilmember Spread. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Shihadeh, Bynum, and Spread. Motion carried.

#23165. Councilmember Spread moved the resolution be adopted approving a Development Agreement with Union Tank Car Company and authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement. Seconded by Councilmember Natvig. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Shihadeh, Bynum, and Spread. Motion carried.

#23166. Councilmember Spread moved the resolution be adopted consenting to assignment of the Muscatine Mall Development Agreement and finance increment payments. Seconded by Councilmember Fitzgerald.

Councilmember Shihadeh asked how many years were left on the Development Agreement.

Finance Director Nancy Lueck stated there are approximately 14 years remaining.

Vote – All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Shihadeh, Bynum, and Spread. Motion carried.

#23167. Councilmember Natvig moved the resolution be adopted approving the plans, specifications, form of contract, cost estimate, and setting the bid opening date for the Community Development Block Grant Downtown Revitalization Project. Seconded by Councilmember Shihadeh. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Shihadeh, Bynum, and Spread. Motion carried.

#23168. Councilmember Rehwaldt moved the resolution be adopted approving the contract and bond from Manatts of Brooklyn, Iowa, in the amount of \$3,985,699.84 for the Runway Renovation Project at the Municipal Airport. Seconded by Councilmember Shihadeh. All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Shihadeh, Bynum, and Spread. Motion carried.

#23169. Councilmember Bynum moved the resolution be adopted accepting the completed work for the 2015 Asphalt Overlay Program and authorizing final payment to Illowa Investments Inc. Seconded by Councilmember Natvig.

There was discussion on the final contract amount.

Public Works Director Randy Hill stated the bid submitted by Illowa was \$548,070.80 and the final contract amount \$590,899.45. He stated the biggest expense for this year's overlay program was on Mulberry Avenue. He stated a lot of the crown was built with rock and it had to be removed and replaced with additional material in order to get the crown needed to properly complete the overlay. He stated that was the \$42,000 difference.

Councilmember Rehwaldt asked if this additional work was something that required City Council approval.

Mr. Hill stated it was not approved by City Council. The decision was made by Public Works staff to replace the crown.

Councilmember Natvig asked when the gas tax money kicked in.

Finance Director Nancy Lueck stated it became available in March.

Councilmember Shihadeh asked if staff was happy with the work completed on 9<sup>th</sup> and 11<sup>th</sup> streets.

Mr. Hill answered yes.

Councilmember Shihadeh stated the area is pretty bumpy, and Mr. Hill stated he and Randy Howell will take a look at it.

Vote – All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Shihadeh, Bynum, and Spread. Motion carried.

#23170. Councilmember Natvig moved the resolution be adopted accepting completed work for the 2015 Sidewalk Program and authorizing final payment to All American Construction. Seconded by Councilmember Fitzgerald.

Councilmember Fitzgerald asked why the contract amount was \$20,000 less.

City Engineer Jim Edmond stated that many times material quantities are estimated in contracts. He stated that to be quite honest, a lot of the reduction had to do with the areas that were to be sodded.

Vote – All ayes: Councilmembers Rehwaldt, Fitzgerald, Natvig, Shihadeh, Bynum, and Spread. Motion carried.

#23171. Councilmember Fitzgerald moved to authorize the submission of the Fiscal Year 2014/2015 Annual Financial Report to the State of Iowa. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#23172. Councilmember Spread moved to approve the updated Memorandum of Understanding with the Iowa Department of Administrative Services for the city's participation in the State Income Offset Program. Seconded by Councilmember Natvig. All ayes; motion carried.

#23173. Councilmember Bynum moved to authorize the issuance of a purchase order to Bayfield Snow Removal for the 2015/2016 snow removal in the Central Business District and city parking lots. Seconded by Councilmember Shihadeh. All ayes; motion carried.

#23174. Councilmember Natvig moved to approve a professional services agreement with Smithgroup JJR for the update of the Master Plan for Riverside Park. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#23175. Councilmember Fitzgerald moved to authorize the purchase of a 2016 Chevy Tahoe from Krieger Auto Group in the amount of \$36,750. Seconded by Councilmember Shihadeh.

Councilmember Rehwaldt asked why a Tahoe was needed.

Assistant Police Chief Phil Sargent stated that historically the supervisors have driven four wheel drive vehicles. He stated the Police Department is moving away from the sedans.

City Administrator Mandsager stated this topic will be discussed during the upcoming budget sessions.

Councilmember Spread asked what would become of the old one.

Assistant Chief Sargent stated it will replace a 2009 squad car.

Vote – All ayes; motion carried.

#23176. Councilmember Bynum moved to authorize the purchase of a combination sewer cleaning machine (Jet/Vac) from Truck Country in the amount of \$346,178. Seconded by Councilmember Natvig. All ayes; motion carried.

#23177. Councilmember Fitzgerald moved to authorize the extension of “No Parking” on Webster Street. Seconded by Councilmember Spread. All ayes; motion carried.

#23178. Councilmember Rehwaldt moved to authorize the purchase of two Toughbook laptop computers from Kel Tec in the amount of \$7,645.42. Seconded by Councilmember Spread. All ayes; motion carried.

#23179. Councilmember Fitzgerald moved to approve the bid from Primex Controls in the amount of \$174,680 for upgrades to the final eight lift stations. Seconded by Councilmember Spread. All ayes; motion carried.

Community Development Director David Gobin, speaking in reference to Item 11Q pertaining to the submission of a LIFTS grant application, stated there have been a couple of positive changes that have taken place since the original memo was sent out. He stated the original grant amount being proposed was \$200,000 for a planning and feasibility study. He stated he was contacted by the Iowa Department of Transportation on Wednesday afternoon with news that the city could add property acquisition to this application. He stated there is still work to be done on the grant application which includes obtaining local commitment for the 20% match but he wanted to be sure the ceiling for the grant application was raised.

City Administrator Mandsager stated that just to be clear, the grant application is for up to \$1 million with the local match from a private funding source. He stated there are two phases with the first being the planning and feasibility study and the second being land acquisition.

Councilmember Fitzgerald stated it was his understanding the local match will come from a private funding source.

City Administrator Mandsager stated Councilmember Fitzgerald was correct. He stated the grant application would be submitted and funding sources identified before the agreement is brought back for City Council action.

Mr. Gobin stated that if both requests for funding are not submitted now, there will not be a second chance.

There was discussion concerning the need for regulatory approval.

Mr. Gobin stated the Army Corps of Engineers and the USDOT are the city’s advocates. He stated that two freight studies done, one by the State of Iowa and the second by Bi-State, will help in the grant application process.

#23180. Councilmember Spread moved to approve the submission of the LIFTS grant application with an amended grant request of up to \$1 million. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#23181. Councilmember Natvig moved to approve Amendment #3 to the base agreement with Stanley Consultants for the Mississippi Drive Corridor Project. Seconded by Councilmember Rehwaldt. All ayes; motion carried.

Under comments, Councilmember Rehwaldt gave a presentation on the sewer separation work that is taking place in the 200 block of W. 5<sup>th</sup> Street and the number of trees that were removed as part of the project. He stated he feels it is not a good idea to remove the trees and asked if staff could figure out a way not to denude our town when redoing a street. He stated it seems criminal to remove the trees.

Public Works Director Hill stated it is not the city's intention to remove trees. He stated the trees in question were old and were not street trees. He stated they were growing into the curbs, sidewalks, and sewers and many of them were partially dead. He stated the city does plan to replant trees where they were removed and that property owners will be able to select the trees they want to see planted.

City Administrator Mandsager pointed out that once a tree's roots are disturbed, it will likely be dead with three to five years. He stated 5<sup>th</sup> Street did have more trees removed than other streets in the CSO project.

Councilmember Rehwaldt asked if this project was going to continue up 5<sup>th</sup> Street, and Mr. Hill answered yes.

Mr. Hill stated that five years from now with the replanting of street trees, E. 5<sup>th</sup> Street will look really nice.

Councilmember Rehwaldt asked if some of the trees could be saved.

Mr. Hill stated the city will do what it can to save as many trees as possible.

Councilmember Rehwaldt asked that Mr. Hill report back to him.

Councilmember Spread stated that at Tuesday night's candidate forum, someone had asked how they could get a larger recycling container. He stated they were told to contact Laura Liegois at the Transfer Station.

Councilmember Fitzgerald stated he thought everyone received two containers.

City Administrator Mandsager stated residents only get one container but it can be replaced with a larger container.

City Administrator Mandsager stated he had received a request from Bi-State to hold a joint meeting with the county for a Red Cross presentation and to get feedback on emergency services. He asked if City Council was interested in just the two suggested topics or if they wanted to add additional topics. He stated the suggested dates are October 26, 2015 at 5:30 p.m. or November 2 or 9, 2015 at 6:30 p.m.

Councilmember Spread stated he would prefer a 6:30 p.m. meeting time.

Councilmember Rehwaldt asked if the meeting was being held in Muscatine, and City Administrator Mandsager answered yes and it was being held at the Environmental Learning Center at Discovery Park.

Mayor Hopkins asked the City Administrator to email everyone.

Councilmember Spread suggested limiting the topics to two.

#23182. Councilmember Shihadeh moved the meeting be adjourned at 8:05 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

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DeWayne Hopkins, Mayor

ATTEST:

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Gregg Mandsager, City Administrator