

**CITY OF MUSCATINE**  
**REGULAR CITY COUNCIL MINUTES**  
Council Chambers – 7:00 p.m. – May 2, 2013

Mayor DeWayne Hopkins called the City Council meeting for Thursday, May 2, 2013, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread.

The meeting began with the Pledge of Allegiance.

#22468. Councilmember Fitzgerald, seconded by Councilmember Spread, moved the Consent Agenda be approved as follows:

- Approval of April 18, 2013 Regular City Council minutes
- Renewal of a Special Class “C” Liquor License, Sunday Sales and Outdoor Service for Elly’s Tea & Coffee House LLC, 208 West 2<sup>nd</sup> Street #8 – Elly’s Tea & Coffee House LLC (pending inspections); renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Smokin’ Joe’s Tobacco and Liquor Outlet #16, 1504 Park Avenue – The Outlet Inc. (pending inspections); renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Kum & Go #438, 1429 Park Avenue – Kum & Go, LC (pending inspections); renewal of a Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Circle K #6600, 802 Cypress Street – Mac’s Convenience Stores LLC (pending inspections); renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Walgreens #05885, 1703 Park Avenue – Walgreen Co. (pending inspections); renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Hy-Vee Wine & Spirits, 522 Mulberry, Suite A – Hy-Vee Inc. (pending inspections); renewal of a Special Class “C” Liquor License, for Tantra Thai Bistro, 101 West Mississippi Drive, #101 – CNY Group Inc. (pending inspections and insurance); renewal of a Class “C” Liquor License, Outdoor Sales and Sunday Sales for El Allende, 1107 Grandview Avenue – El Allende Inc. (pending inspections and insurance); renewal of a Class “C” Liquor License, Outdoor Sales and Sunday Sales for The Pearl, 101 West Mississippi Drive – The Pearl LLC (pending inspections and insurance); renewal of a Class “C” Liquor License, Outdoor Sales and Sunday Sales for Mike’s Hilltop Tap, 929 Lucas Street – Mike’s Hilltop Tap Inc. (pending inspections and insurance)
- Request approved from Geneva Golf & Country Club to dispense fireworks at 3100 Bidwell Road on Friday, May 24, 2013, and Saturday, August 10, 2013
- Proclamations approved declaring May 12-18, 2013 as “National Police Week” and May 15, 2013 as “Peace Officers’ Memorial Day”, and May 2013 as “Historic Preservation Month”
- Filing of Communication 12A
- Bills for Approval totaling \$1,429,372.93

Vote – All ayes; motion carried.

## **PUBLIC HEARING**

Mayor Hopkins stated a public hearing was being held concerning a proposed rezoning change at 3205 Cedar Street (Muscatine Power & Water).

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

#22469. Councilmember Shihadeh moved the public hearing be closed. Seconded by Councilmember Natvig. All ayes; motion carried.

## **PUBLIC HEARING**

Mayor Hopkins stated that at this time the public could comment on changes to the goals, objectives and policies of the Muscatine Municipal Housing Agency Plan.

There were no written or oral petitions for or against changes to the Muscatine Municipal Housing Plan.

#22470. Councilmember Spread moved the public hearing be closed. Seconded by Councilmember Phillips. All ayes; motion carried.

#22471. Councilmember Bynum moved to approve the first reading of an ordinance rezoning property at 3205 Cedar Street (Muscatine Power & Water). Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22472. Councilmember Natvig moved to approve the second reading of an ordinance approving a Revitalization Area. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22473. Councilmember Bynum moved the resolution be adopted setting a public hearing on Amendment #2 to the 2012/2013 City Budget for Thursday, May 16, 2013, at 7 p.m. Seconded by Councilmember Phillips. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22474. Councilmember Spread moved the resolution be adopted approving a mortgage release for 115 Gilbert Street. Seconded by Councilmember Shihadeh. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22475. Councilmember LeRette moved the resolution be adopted approving a mortgage release for 102 Pond Street. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22476. Councilmember Phillips moved the resolution be adopted approving a mortgage release for 104 Pond Street. Seconded by Councilmember Spread. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22477. Councilmember LeRette moved to approve Change Order #10 in the amount of \$3,000 for the Water Pollution Control Plant Improvements Project. Seconded by Councilmember Spread. All ayes; motion carried.

#22478. Councilmember Spread moved the resolution be adopted accepting completed work for the Water Pollution Control Plant Improvements and authorizing final payment to Sulzberger Excavating. Seconded by Councilmember LeRette.

Water Pollution Control Director Jon Koch stated that everything for the project was wrapped up this week and that the IT program is still being tweaked. He stated every aspect of the plant was touched by this project. He complimented his staff. He then explained the benefits of the renovations.

Councilmember Shihadeh asked how long it took to complete the project. He then asked if everything that was proposed for the project happened.

Mr. Koch stated there has been a large deduction in the odor coming from the plant. He stated from a treatment aspect, things are much easier and plans are underway for using the methane gas. He stated the project took approximately seven years which includes the two years of planning. He stated the improvements should last 20 to 30 years; however, there are things that will need to be done along the way as technology advances.

Councilmember Bynum, speaking in reference to the odor issue, asked if residents would have any odor issues this summer.

Mr. Koch stated the plant has been in operation since 2011. He stated he has talked with folks in the area and many have said they don't notice the odor. He stated he cannot promise a 100% reduction in the odor.

Councilmember Natvig asked if all the pumps are running.

Mr. Koch stated they are running perfectly.

Councilmember Natvig asked about the timetable for the laboratory project.

Mr. Koch stated the goal is to have the project completed by the end of the year.

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

#22479. Councilmember Shihadeh moved the resolution be adopted endorsing Muscatine Municipal Airport Projects for Fiscal Year 2014 and certifying the availability of matching funds. Seconded by Councilmember Bynum. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22480. Councilmember Natvig moved the resolution be adopted accepting easements and property acquisitions for the West Hill Sewer Separation Project – Phase II. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22481. Councilmember Shihadeh moved the resolution be adopted accepting easements and property acquisitions for the 2013 Colorado Street Reconstruction Project. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Shihadeh, Bynum, Phillips, and Spread. Motion carried.

#22482. Councilmember Phillips moved to approve the agreement with the Iowa Department of Transportation for an Earmark Funded Project – MRT – Musser Park to Wiggins Road Trail. Seconded by Councilmember Natvig.

Councilmember LeRette, speaking in reference to the anticipated private donations, asked if funding sources had been lined up or is the funding something that will have to be pursued.

Public Works Director Randy Hill stated there is not an actual list of individuals or corporations that are willing to come forward; however, there is a list of interested individuals and businesses that have indicated they would be interested in learning what they might be able to do to contribute to the project. He stated the Trails Committee will be making the contacts for contributions. He stated the group feels enough interest has been generated and that contributions will be made to the project.

Councilmember LeRette asked if this trail project was going to be discussed during budget discussions.

City Administrator Gregg Mandsager stated it will be discussed during the review of capital projects. He stated that in order to secure the earmarked funds, it is necessary that the agreement with the IDOT be approved.

Vote – All ayes; motion carried.

#22483. Councilmember LeRette moved to approve the issuance of a purchase order to Weikert Contracting in the amount of \$43,491.72 for paint striping of city streets. Seconded by Councilmember Spread. All ayes; motion carried.

Under comments, Councilmember Bynum stated that earlier in the evening he had attended a Leadership Muscatine graduation. He stated that city employees Andrew Fangman and Darrell Janssen were part of the graduating class. He stated he was glad to see good things coming from this group of people.

City Administrator Mandsager stated that staff has been doing a great job of getting the riverfront cleaned up following the recent flooding.

Under other business, Community Development Director Steve Boka stated a request was being submitted for the issuance of purchase orders to Interstate Power Systems in the amount of \$106,797.53 for the installation of diesel emission reduction equipment and to Nelson Electric in the amount of \$4,500 for the installation of regeneration panels.

#22484. Councilmember Shihadeh moved the request be approved. Seconded by Councilmember Bynum. All ayes; motion carried.

#22485. Councilmember Shihadeh moved the meeting be adjourned at 7:35 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