

**CITY OF MUSCATINE**  
**IN-DEPTH CITY COUNCIL MINUTES**  
Council Chambers – 7:00 p.m. – April 9, 2015

Mayor Hopkins called the City Council meeting for Thursday, April 9, 2015, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Bynum, Phillips, and Spread.

The first item on the agenda was a review of the city's proposed response to the ATE issue. City Administrator Gregg Mandsager highlighted points that were included in the city's Appeal of Evaluation as it pertains to the ATE located at the intersection of University Drive and Highway. They were as follows:

- By prorating the partial year in which ATE's were active in 2012, there has been a 32% decrease in violations from 2011 to 2012
- In March through December 2010 (prior to the ATE implementation) there were 30 vehicle crashes at the intersection and in March through December 2011 there were 21 crashes. This is a 30% decrease in crashes the intersection
- During 2013, there were a total of 13,369 citations issued. Comparing this data to the violations issued in 2012, this is a 14% decrease in violations from 2012 to 2013.
- During 2013, there were 19 motor vehicle crashes at the intersection and 26 in 2012. This is a 27% decrease in motor vehicle crashes from 2012 to 2013.

City Administrator Mandsager stated these statistics clearly indicate the ATE cameras are having a positive impact on the traffic safety issues and there has been a substantial reduction in speed and red light violations at the intersection as well. He then touched on other statistics contained in the Appeal of Evaluation.

City Administrator Mandsager stated the Iowa Code does not grant the IDOT the discretion to dictate the method or means in which a municipality or its police officers enforce the laws upon the roads within the municipality. He again stated at the IDOT does not have the authority to regulate the use of ATEs.

City Administrator Mandsager then outlined to City Council the next steps to be taken in the appeal process.

Councilmember Rehwaldt asked the City Administrator what he thought the response would be from the IDOT.

City Administrator Mandsager stated he did not know. He stated the Legislative Rules are at the heart of this matter and that staff feels the IDOT is acting outside the scope of those rules.

Councilmember Spread stated he feels it is the city's decision on whether or not to remove the ATE device in question. He stated that he feels the recommendation being made by the IDOT was not an honest assessment and the IDOT failed to provide a complete analysis. He stated he feels the ATEs meet the city's needs.

Councilmembers Phillips and Bynum both agreed the cameras work and that people should follow the law.

City Administrator Mandsager pointed out that traffic citations are not issued until a vehicle is traveling 10 mph over the speed limit and that the \$75 citation fee is much cheaper than if a ticket were issued by a police officer.

The next item on the agenda was a review of the City Code update and appendices. City Administrator Mandsager reviewed the information contained in the cover memo and explained what the next step would be in the process of updating the City Code. He stated a public hearing will be scheduled for May 7, 2015 with the first reading of the ordinance taking place that night as well.

The next item on the agenda was a review of the Sidewalk Policy. City Administrator Mandsager stated staff is looking to have an active sidewalk program rather than a complaint-based program. He stated the proposed policy will deal with new or existing sidewalks and the implementation of ADA standards.

Public Works Director Randy Hill stated that five sidewalk projects will get underway next week. He then reviewed who would be responsible for existing sidewalks, new construction, and infill, gaps, ADA, and city projects.

The next item on the agenda was a review of the new zoning ordinance. City Planner Andrew Fangman stated the current zoning ordinance largely dates back to the early 1970's. He stated the current zoning ordinance was structured to implement the vision contained in the 1968 Comprehensive Plan. He stated a new Comprehensive Plan was adopted in September 2013 which will be the basis of the zoning ordinance.

Mr. Fangman stated the new zoning ordinance will have sufficient flexibility to be adapted to unique and difficult site conditions and to preserve the unique character of individual neighborhoods.

Both Mr. Fangman and the City Administrator stated the goal was to make the zoning ordinance more user friendly.

Mr. Fangman then outlined the process for creating the new zoning ordinance. He stated the initial draft is mostly completed and will be reviewed and adopted in three phases. He stated Phase I will include citywide regulations and provisions, Phase II will include standard zoning districts, and Phase III will include form-based zoning districts. He then gave a brief description of what will be included in each of the three phases.

The next item on the agenda concerned the disposal of city property. Community Development Director David Gobin stated the city has two lots located at 1202 Indiana Street and 1111 Nebraska Street that we are maintaining. He stated staff is proposing these two properties be disposed of to get them back on the tax roles.

City Council gave their concurrence on getting the process underway to dispose of these two properties.

Mayor Hopkins stated the next item on the agenda was a request to adopt the resolution awarding the contract for the West Hill Sanitary Sewer Project – Phase III to Hagerty Earthworks in the amount of \$4,988,668.

#22956. Councilmember Spread moved the resolution be adopted. Seconded by Councilmember Bynum.

City Administrator Mandsager stated that Muscatine Power & Water will be doing work as part of the first year and will then make the determination on whether they will contract out for the remaining two years.

Vote – All ayes: Councilmembers Rehwaldt, Bynum, Phillips, and Spread. Motion carried.

Mayor Hopkins stated the next item on the agenda was a resolution approving the contract and bond from Sulzberger Excavating in the amount of \$75,000 for the Mad Creek Dredge Line Project.

City Administrator Mandsager asked that the resolution be adopted subject to the City Administrator finalizing insurance requirements.

#22957. Councilmember Rehwaldt moved the resolution be adopted subject to the City Administrator finalizing insurance requirements. Seconded by Councilmember Phillips. All ayes: Councilmembers Rehwaldt, Bynum, Phillips, and Spread. Motion carried.

The final item on the agenda was a Trailhead Project presentation by Leadership Muscatine. James Aberg of Monsanto along with other members of the Leadership group were present to share the scope of their proposed project.

The group's proposal includes the erection of a trailhead at the Canon Avenue/River Road trail location which will be a metal shelter design. Mr. Aberg stated the amenities will include an emergency call tower, drinking fountain, vertical large surface board, and picnic tables. The projected expenses for the trailhead is \$20,225. The group has secured \$9,100 of that amount and continues to work toward raising the final \$11,125.

Under comments, City Administrator Mandsager discussed the recent meeting attended in Algona, Iowa, concerning the CAT grant. He also urged City Council to contact legislators asking they not support the proposed TIF legislation.

#22958. Councilmember Bynum moved the meeting be adjourned at ? Seconded by Councilmember Phillips. All ayes; motion carried.

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Gregg Mandsager, City Administrator