

# COUNCIL



## AGENDA

**THURSDAY, JANUARY 7, 2016  
COUNCIL CHAMBERS - CITY HALL – 7:00 P.M.**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COMMUNICATIONS – CITIZENS**
5. **CONSENT AGENDA**

The following items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

\* **Items 6A - Approval of City Council Minutes**

A. Regular City Council Minutes – December 17, 2015

\* **Items 8A-C – Petitions and Communications**

A. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Hy-Vee Gas, 2600 – 2<sup>nd</sup> Avenue – Hy-Vee Inc.

B. Request on first and second reading for a new Class “C” Liquor License for Delta Waterfowl Foundation, 3200 Lucas Street – Delta Waterfowl Foundation (pending inspections and insurance)

C. Request on renewal for a Class “C” Liquor License, Outdoor Service and Sunday Sales for Rose Bowl, 1411 Grandview Avenue – Rosebros LLC (pending inspections and insurance)

\* **Items 12A-C – Receive and File**

A. Muscatine County Board of Supervisors – December 7 & 14, 2015

B. Board of Water, Electric, and Communications Trustees – November 24, 2015

C. Convention & Visitors Board – September 2 & 16, 2015 and November 11, 2015

\* **Bills\***

\* Approval of attached Bills for Approval totaling \$2,265,809.57 is subject to the approval of any related agenda item(s).

**6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

A. Proposed Vacation of Right-of-Way Remnant in City of Muscatine

This public hearing concerns the proposed vacation of a right-of-way remnant in the City of Muscatine. A vacation plat for 1.53 acres of right-of-way which includes portions of Spring Street, E. 4<sup>th</sup> Street, and Poplar Street has been filed by the HNI Corporation. HNI owns all of the adjoining property to the right-of-way being proposed for vacation. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

**8. PETITIONS AND COMMUNICATIONS**

**9. FROM THE MAYOR**

**10. FROM THE PLANNING AND ZONING COMMISSION**

**11. FROM THE CITY ADMINISTRATOR**

**A. First Reading of Ordinance Vacating Right-of-Way Remnant in the City of Muscatine**

Presented for City Council's consideration is the first reading of an ordinance vacating a right-of-way remnant in the City of Muscatine. A vacation plat for 1.53 acres of right-of-way which includes portions of Spring Street, E. 4<sup>th</sup> Street, and Poplar Street has been filed by the HNI Corporation. HNI owns all of the adjoining property to the right-of-way being proposed for vacation.

Is there a motion to approve the first reading of the ordinance as submitted?

**B. Resolution Approving Contract and Bond for the Electrical Upgrade Project at the Municipal Airport**

Presented for City Council's consideration is a resolution approving the contract and bond for the Electrical Upgrade Project at the Municipal Airport. At the December 17, 2015 City Council meeting, the bid was awarded to Voltmer Inc. in the amount of \$39,269. Staff has reviewed the contract document and is recommending City Council take action to approve the contract and bond as submitted.

Is there a motion to adopt the resolution as submitted?

**C. Resolution Accepting Completed Work for the Diana Queen Drive Extension Project and Authorizing Final Payment**

Presented for City Council's consideration is a resolution accepting completed work for the Diana Queen Drive Extension Project and authorizing the final payment. On August 6, 2015 City Council awarded the contract to Heuer Construction in the amount of \$277,679.78. Three contract modifications were written for the contract totaling \$7,517.72. The final contract amount for the project is \$295,272.69 which includes the value of the contract modifications (\$7,517.72) and the value of contract quantity overruns (\$10,075.29). It is staff's recommendation that City Council accept the completed work and authorize final payment to the contractor.

Is there a motion to adopt the resolution as submitted?

D. Resolution Setting Public Hearing on Proposed New Lease Agreement for Placement of Communications Equipment on the Clark House

Presented for City Council's consideration is a request to set a public hearing on a proposed new lease agreement for the placement of communications equipment on the Clark House located at 117 W. 3<sup>rd</sup> Street. The city currently has two cellular telephone companies using the rooftop of the Clark House. One of the leases is with US Cellular whose lease runs through July 2, 2018. US Cellular is updating their lease agreements. The proposed initial term for the lease is for five (5) years. A public hearing is required since the proposed lease extends more than three years. This public hearing will take place on Thursday, January 21, 2016, at 7:00 p.m.

Is there a motion to adopt the resolution as submitted?

E. Resolutions for Change of Authorized Signers for City Bank Accounts

The city has checking, money market and savings accounts with First National Bank, Central State Bank and Community Bank. The authorized signers for the city's checking accounts are the Mayor and City Administrator. With the new Mayor taking office January 1, 2016, new corporate resolutions are required with each bank to update the authorized individuals on the respective bank accounts.

Is there a motion to adopt the resolution as submitted?

F. Resolution Accepting Settlement Agreement Between the City of Muscatine and Communications Engineering Company

Presented for City Council's consideration is a resolution accepting the settlement agreement between the City of Muscatine and Communications Engineering Company.

Is there a motion to adopt the resolution as submitted?

G. Request to Approve Professional Services Agreement for Final Design of the Musser Park to Wiggins Road Trail Project

Presented for City Council's consideration is a request to approve a professional services agreement for final design of the Musser Park to Wiggins Road Trail Project. A proposal was received from Lutz Engineering in the amount of \$24,390 to finish the plan and profile sheets for the trail and develop the plan set through the Iowa Department of Transportation for construction bids. This work is necessary due to the rerouting of the trail and the donation of land from a benevolent land owner.

Is there a motion approve the request as submitted?

H. Request to Approve Supplement to NEPA Study for the Musser to Wiggins Road Trail Project

Presented for City Council's consideration is a request to approve a supplement to the NEPA Study for the Musser to Wiggins Road Trail Project. Due to the rerouting of the proposed trail, the Iowa Department of Transportation has determined the new route needs to have a Phase 1 Archeological Clearance. Impact 7G, who was selected to do the NEPA clearance work for Grandview Avenue, has submitted a proposal in the amount of \$8,500 to perform the NEPA Study. If this study can be completed quickly, the design for the trail can be completed in time for construction in 2016.

Is there a motion to approve the request as submitted?

12. **COMMUNICATIONS - RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$2,265,809.57 be approved and that the City Council authorize the Mayor and City Clerk to issue warrants for the same. It should be noted that this listing is subject to the approval of any related agenda item(s).

14. **COMMUNICATIONS - COUNCIL MEMBERS**

15. **OTHER BUSINESS**

- A. Determine Date of January 14, 2016 or January 21, 2016 for City Council Pictures
- B. Potential Closed Session Per Iowa Code 21.5 to Discuss Pending Litigation

16. **ADJOURNMENT**