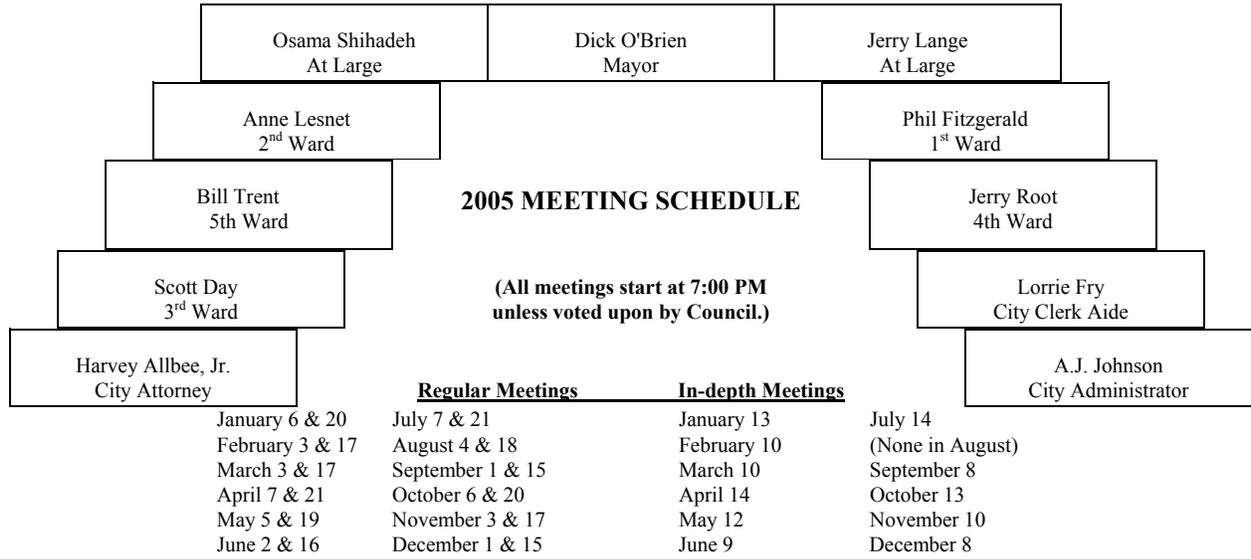


MUSCATINE CITY COUNCIL



AGENDA

**THURSDAY, JUNE 2, 2005, 7:00 P.M.
COUNCIL CHAMBERS - CITY HALL**

1. CALL TO ORDER
2. ROLL CALL
3. OPENING PRAYER
4. PLEDGE OF ALLEGIANCE
5. COMMUNICATIONS – CITIZENS
6. MINUTES - APPROVAL

A. Regular City Council Meeting – May 19, 2005

7. **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 or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence from the Agenda.

- * 9 – B-I
- * 13 – A-G
- * Bills*

* Approval of attached Bills for Approval totaling \$3,127,355.13 is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Vacation of Platted Lots in Riverbend First Addition

Previously City Council took action to establish a public hearing on the proposed vacation of platted lots in the Riverbend First Addition. Riverbend Land Development has proposed to replace five existing lots for four slightly larger lots within the Riverbend Fourth Addition. The proposed change will allow larger lots to provide home design opportunities for the development. The proposed action by Council will be to consider the vacation of Lots 25-29 of the Riverbend Addition. Following the public hearing, Council will also consider by resolution the vacation of Lots 25-29 and the adoption of the final plat of the Riverbend Fourth Addition with the new lot configuration. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment on the proposed vacation of platted lots in the Riverbend First Addition.

B. Proposed Amendment of Sewer Use Regulation Ordinance

Previously City Council took action to establish a public hearing on the proposed amendment of the sewer use regulation ordinance. Specifically the amendment to the current sewer use regulation ordinance would incorporate language that would be more restrictive concerning the introduction of fats, oil, and grease into the system. Provisions of the ordinance would establish parameters and time frames in which the city would work with the sanitary sewer users who have been identified as contributors of these products into the system to gain compliance with provisions of the ordinance. Prior to any formal action by Council, a public hearing is required.

Now is the time for the public to comment on the proposed amendment of the sewer use regulation ordinance.

9. PETITIONS AND COMMUNICATIONS

- A. First reading for a new Class B Beer and Sunday Sales Permit for Got Lips, 2114 Park Avenue – Michael Raushenberger (pending receipt of dram shop insurance and inspections)
- B. Request for a five-day Class B Beer Permit for Great River Days, July 27-30, 2005 at Riverside Park – Muscatine Quarterback Club Inc. (pending receipt of dram shop insurance and inspections)
- C. Request to change from a Class BW Beer/Wine to a Class B Beer and Sunday Sales Permit for China Buffet, 1903 Park Avenue – China Buffet of Muscatine Inc. (pending receipt of dram shop insurance)
- D. Request for renewal of a Class A Liquor License for VFW Club, 421 Mulberry Avenue – Veterans of Foreign Wars Club Inc.
- E. Request for renewal of a Class C Liquor License for Jody’s Corner Tap, 226 Walnut Street – Jody’s Corner Tap Inc.
- F. Request for renewal of a Class C Beer and Sunday Sales Permit for Cigarette Outlet #8, 426 E. 2nd Street – Cigarette Outlet Inc.
- G. Request for renewal of a Class C Beer and Sunday Sales Permit for Fast Avenue One Stop, 2111 Park Avenue – JBC LLC
- H. Request for renewal of a Class C Beer and Sunday Sales Permit for Scott’s Outdoor, 1907 Stewart Road – General Outdoors Inc.
- I. Request from Port City Underground, 208 W. 2nd Street – Port City Partnership – for a new outdoor service area (pending inspections)
- J. Request Approval of Fire Works Display

Presented for City Council’s consideration is a request from the Geneva Golf & Country Club for permission to set off fireworks within the City of Muscatine for August 13, 2005. For the past several years, this organization has requested such a permit from the City Council. To date we have experienced no problems with this activity. This matter has been reviewed and approved by the city’s Fire Department and has been submitted for Council’s final authorization.

At this time City Council could take action to authorize the fireworks display at the Geneva Golf & Country Club on August 13, 2005.

K. Update on Whiteway Hotel Property

At this time an update will be given on the Whiteway Hotel property by its owner, Greg Johnston.

10. FROM THE MAYOR

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

A. First Reading of an Ordinance Amending the Sewer Use Regulation Ordinance

Presented for City Council's consideration is the first reading of an ordinance amending the sewer use regulation ordinance. Previously a public hearing was held to receive public comment on these proposed changes. The changes would be in the city's sewer use ordinance and would incorporate language that would be more restrictive concerning the introduction of fats, oils, and grease into the system. Provisions of the ordinance would establish parameters and time frames in which city officials would work with sanitary sewer users who have been identified as contributors of these products into the system to gain their compliance with provisions of the ordinance.

At this time City Council could take action on the first reading of an ordinance amending the sewer use regulation ordinance.

B. Resolution Approving Vacation of Lots in Riverbend First Addition

Presented for City Council's consideration is a resolution approving the vacation of lots in the Riverbend First Addition. Previously a public hearing was held to receive public comment on the proposed vacation of platted lots in the first addition. The proposal is to replace five existing lots for four slightly larger lots within the Riverbend Fourth Addition. The lots in question are Lots 25-29.

At this time City Council could take action by resolution approving the vacation of lots in the Riverbend First Addition.

C. Resolution Authorizing Building Official to Proceed with Specified Work at 1203 Hershey Avenue

Presented for City Council's consideration is a resolution authorizing the building official to proceed with specific work at 1203 Hershey Avenue. At the January 20, 2005 City Council meeting Council took action to table any further action on the proposed abatement of nuisance at 1203 Hershey Avenue. At that time City Council requested that the current owner of the property provide to the city an assessment of the current property's condition, documentation of improvements or repairs that have been made that were not previously

noted with the city, and finally a plan to address the conditions of the building itself.

At this time City Council could take action to consider a resolution authorizing the building official to proceed with specific work on the premises located at 1203 Hershey Avenue.

D. Resolution Setting Time and Place of a Public Hearing on Vacation of Utility Easement in Rueben and Sarah Baker Addition – Phase III

Presented for City Council’s consideration is a resolution setting the time and place of a public hearing on the vacation of a utility easement in the Rueben and Sarah Baker Addition – Phase III. The Muscatine Welfare Association, owner of Lots 1MA and 1MB, have requested that the existing utility easement located between the two lots be vacated for development of a two story structure containing 20 units for learning disabled residents. Prior to any formal vacation of the utility easement, a public hearing is required.

At this time City Council could take action by resolution establishing a public hearing on the vacation of a utility easement in the Rueben and Sarah Baker Addition – Phase III for Thursday, June 16, 2005, at 7 p.m.

E. Request Approval of Agreement Between the City of Muscatine and Muscatine Power & Water for Utility Relocation for the E. 5th Street Bridge Replacement Project

Presented for City Council’s consideration is a request to approve an agreement between the City of Muscatine and MP&W for a utility relocation for the E. 5th Street Bridge Replacement Project. As part of the E. 5th Street Bridge Replacement Project, it is appropriate for the City of Muscatine to enter into an agreement with MP&W for the relocation of utilities. The electrical, communication, and water distribution lines that are owned and operated by MP&W located within the road right-of-way will be altered, relocated, or adjusted by MP&W in accordance with the construction plans. The total estimated cost for the work to be performed is \$122,296. This work is considered part of the STP funding from the State of Iowa and will be paid from that source.

At this time City Council could take action to approve an agreement between the City of Muscatine and Muscatine Power & Water for utility relocation for the E. 5th Street Bridge Replacement Project.

F. Request Approval of Art Center Elevator Repair

Presented for City Council’s consideration is a request for authorization to repair the elevator at the municipal art center. Under the city’s purchasing policy, emergency repairs can be made in advance of formal Council authorization. These repairs are underway at this time. However, formal authorization is required by City Council on this project. The total cost for repairs will be \$25,673.

At this time City Council could take action to authorize the KONE Elevator Company to make repairs to the municipal art center elevator in the amount of \$25,673.

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – May 9 & 16, 2005
- B. Art Center Board of Trustees – April 21, 2005 & May 19, 2005
- C. Senior Resources – April 26, 2005
- D. Bi-State Regional Commission – April 27, 2005
- E. Airport Advisory Commission – March 28, 2005
- F. NFPA Fire Survey – March 2005
- G. City of Muscatine Financial Reports – April 2005

14. APPROVAL OF BILLS

It is recommended bills totaling \$3,127,355.13 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).

15. COMMUNICATIONS - COUNCIL MEMBERS

16. OTHER BUSINESS

17. ADJOURNMENT