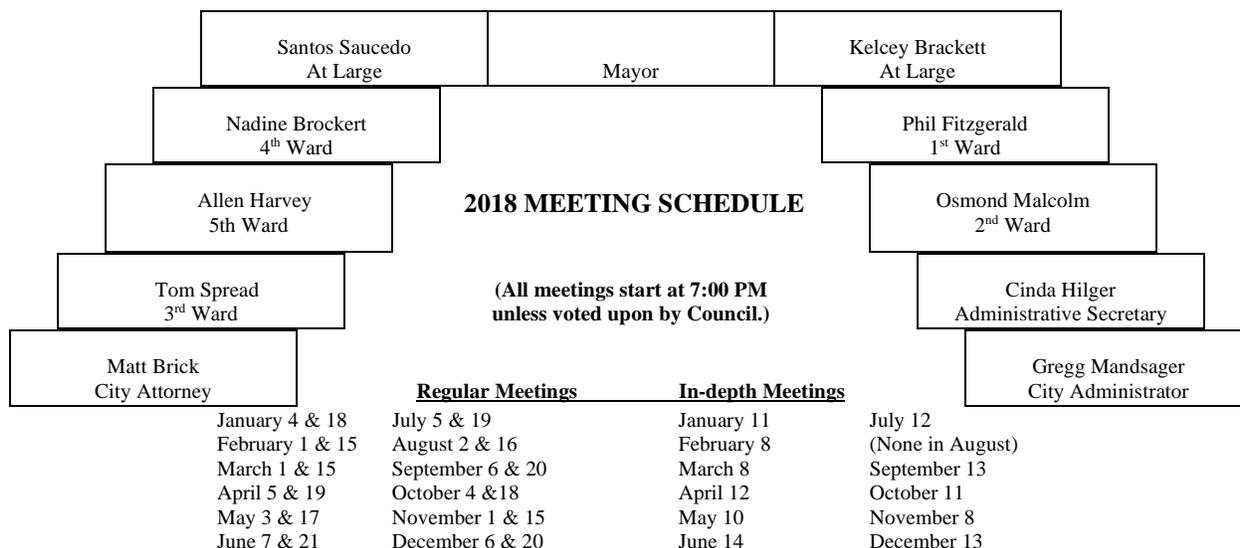


# COUNCIL



## AGENDA

**THURSDAY, JUNE 7, 2018**  
**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-B - Approval of City Council Minutes**

A. Regular City Council Minutes – May 17, 2018

B. Special Meeting Council Minutes – May 31, 20

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

- A. Request to approve settlement and accept payment for Hy-Vee Inc for first offense cigarette permit violations
- B. Request to approve settlement and accept payment for Nanak Express LLC dba GM Mini Mart for first offense cigarette permit violations
- C. Request to approve settlement and accept payment for Casey's General Store for second offense cigarette permit violations
- D. Request to approve settlement and accept payment for Nanak Express LLC Dba GM Mini Mart for second offense cigarette permit violations
- E. Request on second reading for a new Class "C" Beer Permit for AJ's Garage, LLC, 1206 East 2<sup>nd</sup> Street – Alex Shoppa (pending inspections)
- F. Request for renewal of a Class "B" Native Wine Permit, Class "C" Beer Permit and Sunday Sales for Casey's General Store #2906, 3509 Steamboat Way – Casey's Marketing Company (pending inspections)
- G. Request for renewal of a Class "B" Wine Permit, Class "C" Beer Permit, Outdoor Service and Sunday Sales for Hy-Vee Mainstreet, 510 East 6<sup>th</sup> Street – Hy-Vee Inc. (pending inspections)
- H. Request for renewal of a Class "C" Liquor License and Sunday Sales for Applebee's Neighborhood Grill & Bar, 306 Cleveland Street – Apple Corps L.P. (pending inspections)
- I. Request for renewal of a Class "C" Liquor License and Sunday Sales for Peking Restaurant, 1700 Park Avenue, Suite C – Peking Chinese Restaurant, Inc. (pending inspections and insurance)
- J. Request for renewal of a Class "C" Beer Permit and Sunday Sales for Happy Joe's Pizza & Ice Cream Parlor, 927 Grandview Avenue – Max Brewer Corporation (pending inspections and insurance)
- K. Request for renewal of a Class "C" Liquor License for Jody's Corner Tap, Inc., 226 Walnut Street – Jody's Corner Tap, Inc. (pending inspections and insurance)
- L. Request for renewal of a Class "B" Native Wine Permit and Sunday Sales for The Flower Gallery, 131 East Second Street – Karen Diercks (pending inspections and insurance)
- M. Request for closure of Parham Street for water main work June 11-16, 2018.

- N. Request for road closure at 1110 Musser, June 11-13 for water main work.
- O. Request for use of City Property – 100 Block of East Mississippi Drive to be used for Street Dance in conjunction with Relay for Life – Missipi Brew.

**\* Item 9A-K – From the Mayor**

- A. Request to Approve New Appointments Andrea Kreitner and Mohammad Ali Pasha to the Airport Advisory Commission.
- B. Request to Approve New Appointments Brian Walters and Marci Stephens to the Art Center Board of Directors.
- C. Request to Approve Reappointment John Moravec to the Art Center Board of Directors
- D. Request to Approve Reappointment Tracy McGinnis to the Board of Water, Electric and Communication.
- E. Request to Approve Reappointment Holly Jacobi to the Civil Service Commission.
- F. Request to Approve New Appointment Melissa Osborne to the Convention and Visitors Board.
- G. Request to Approve Reappointment Greg Jenkins to the Convention and Visitors Board.
- H. Request to Approve Reappointment Rochelle Conway to the Historic Preservation Commission
- I. Request to Approve New Appointment Robert McFadden to the Planning and Zoning Commission.
- J. Request to Approve Reappointment Steve Nienhaus to the Planning and Zoning Commission.
- K. Request to Approve New Appointments Dana LaRue and Rick Bierman to the Recreation Advisory Commission

**\* Items 12A-G – Receive and File**

- A. Muscatine County Board of Supervisors Minutes – May 14, 2018
- B. Muscatine County Board of Supervisors Minutes – May 21, 2018

- C. Board of Water, Electric & Communications – April 24, 2018
- D. Zoning Board of Adjustment Minutes – March 6, 2018
- E. City of Muscatine Financial Reports – April, 2018
- F. Nominating Committee Meeting Minutes – May 10, 2018
- G. Nominating Committee Meeting Minutes – May 31, 2018

**\* Bills\***

- \* Approval of attached Bills for Approval totaling \$9,627,005.90, which includes journal entries and receipt summaries for April 2018, is subject to the approval of any related agenda item(s).

**6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

- A. Declaration of City Owned Property as Surplus and Authorizing its Disposal

This public hearing concerns the declaration of City owned property as surplus and authorizing of its disposal. The City currently owns property described as: Lots 4 & 5, Block 55, in the Original Town of Muscatine, more commonly known as the Musser Public Library. The City of Muscatine plans to dispose of said property by a public auction.

Now is the time for the public to comment.

**8. PETITIONS AND COMMUNICATIONS**

**9. FROM THE MAYOR**

- A. Proclamation Declaring June 3, 2018-June 9, 2018 as National Garden Week

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

**11. FROM THE CITY ADMINISTRATOR**

- A. Ordinance Allowing for Dogs to be let off Leash in Areas of City Parks Designated for Off Leash Use

Presented for City Council’s consideration is the first reading of an ordinance amending Title 3, Chapter 5, Section 9, Subsection D of the City Code. The current City Code states all dogs in City Parks be kept on a leash no longer than

six feet. With the opening of the new Dog Park this amendment allows for dogs to be let off-leash in the areas so designated by the Parks and Recreation Department such as the Dog Park.

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

- B. Resolution Declaring certain Real Estate owned by the City of Muscatine as Surplus and authorizing the sale of said Real Estate.

Presented for City Council's consideration is a resolution declaring City of Muscatine owned Real estate located at 304 Iowa Avenue (Musser Public Library) as surplus property and authorizing the disposal of property. The City of Muscatine plans to dispose of said property by public auction.

Is there a motion to adopt the resolution as adopted?

- C. Resolution Accepting Permanent Right-of-Way Easement Agreement (Dollar General)

Presented for City Council's consideration is a resolution accepting a permanent right-of-way easement agreement with DG Partners LLC (Dollar General). On May 17<sup>th</sup> City Council approved an exchange agreement for a dumpster enclosure and a truck dock and related uses on an undeveloped portion of the White Street right of way, in exchange for the dedication of right-of-way to the City, which is necessary for sidewalk improvements along Warren Street.

Is there a motion to approve the resolution as submitted?

- D. Resolution Accepting the completed work for the Musser Public Library and HNI Community Center

Presented for City Council's consideration is a resolution accepting the completed work for the Musser Public library and making final payment to Sheets Design Build. All work under contract has been completed and appears to meet all requirements of the plan and specifications.

Is there a motion to adopt this resolution as submitted?

- E. Resolution Accepting Completed Work Performed Under the West Hill Sewer Separation Project Contract Phase 3-C and Authorizing Final Payment to Close out Phase 3-C and All Years of the Phase 3 Contract.

Presented for City Council's consideration is a resolution accepting the completed work performed under the West Hill Sewer Separation contract phase 3-C and authorizing final payment to Hagerty Earthworks LLC. The work has been completed and accepted by the City Engineer and appears to meet all

requirements of the plans and specifications.

Is there a motion to approve the resolution as submitted?

F. Resolution Approving the Final Plat of Avalon Subdivision

Presented for City Council's consideration is a resolution approving the final plat of Avalon Subdivision at the corner of Hershey Avenue and Fletcher Street. The intent for this subdivision is to allow for the construction of a single four unit apartment building.

Is there a motion to adopt the resolution as submitted?

G. Resolution Setting Public Hearing for the 2018 Full-Depth Patch Construction Project

Presented for City Council's consideration is a resolution setting a public hearing on the plans, specifications, form of contract and cost estimates for the Full Depth Patch Construction Project. The City of Muscatine has compiled a list of streets to be full-depth concrete patched during fiscal year 2019. Prior to awarding bids, a public hearing is required. This Public Hearing is scheduled for June 21, 2018 at 7:00 p.m.

Is there a motion to adopt the resolution as submitted?

H. Resolution Approving Ambulance Service Fee Schedule Increase Effective July 1, 2018

Presented for City Council's consideration is a request to approve Ambulance Service Fee Schedule Increase effective July 1, 2018. This schedule is reviewed each year during budget and changed in accordance with Wellmark's Maximum Allowable Fee.

Is there a motion to approve the request as submitted?

I. Request Approval to Enter into a Contract for Solid Waste Management Regulatory Assistance and Administrative Fees

Presented for City Council's consideration is a request to enter into a contract for Solid Waste Management Regulatory Assistance and Administrative Fees. The City currently has a contract with Barker Lemar Engineering to handle situations where outside assistance is requested for small activities, not justifying a full scope. This request is to extend the contract through June 30, 2020.

Is there a motion to approve the request as submitted?

J. Request to Approve Salt Purchase Agreement

Presented for City Council's consideration is a request to approve a salt purchase agreement. The City of Davenport has requested all members of the salt purchasing consortium to secure the approval of their respective legislative bodies authorizing Davenport to act as the lead agency for the purchase. This agreement stipulates that the City of Muscatine would pay fifty percent of the cost of order in July and the remainder will be invoiced after delivery of salt.

Is there a motion to approve the request as submitted?

K. Request to Approve DOT Supplemental Agreement for Maintenance of Primary Roads

Presented for City Council's consideration is a request to approve a DOT Supplemental Agreement for maintenance of primary roads. Annually the City of Muscatine and the Iowa Department of Transportation enter into a supplemental agreement for maintenance of primary roads in municipalities.

Is there a motion to approve the request as submitted?

12. **COMMUNICATIONS - RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$9,627,005.90 which includes journal entries and receipt summaries for April 2018, 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. Request to Enter Closed Session Per Iowa Code 21.5.1.j Concerning Acquisition and Sale of Property

16. **ADJOURNMENT**