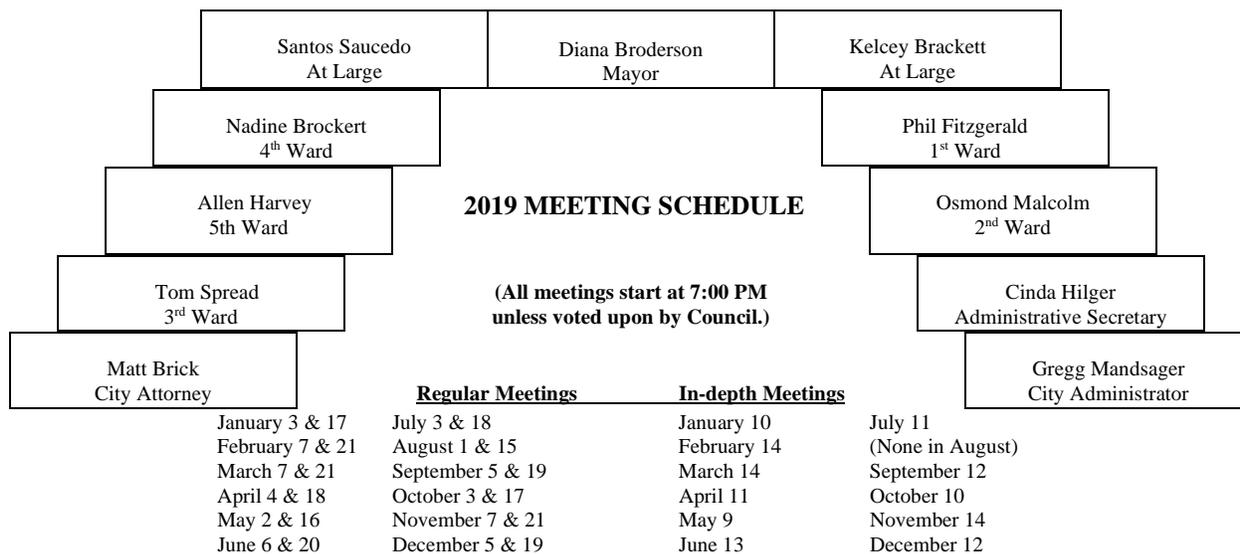


COUNCIL



AGENDA

THURSDAY JUNE 20, 2019
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-C Approval of City Council Minutes**
 - A. Regular Council Meeting Minutes – June 6, 2019
 - B. In-Depth Council Meeting Minutes – June 13, 2019
 - C. Nominating Committee Meeting Minutes – June 12, 2019

*** Items 8A-D Petitions and Communications**

- A. Request on first reading for a new Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for KWIK Star #1064, 3605 University Drive – KWIK Trip, Inc. (pending inspections)
- B. Request for Outdoor Service for Missipi Brewing Co., 107 Iowa Avenue from July 13, 2019 through July 14, 2019 – R & D Operations (pending inspections)
- C. Request for Outdoor Service for Missipi Brewing Co., 107 Iowa Avenue from October 12, 2019 through October 13, 2019 – R & D Operations (pending inspections)
- D. Cigarette/Tobacco Permits – July 1, 2019-June 30, 2020
 - 1. A & E Convenience LLC, 4701 S. Hwy 61 – A&E Convenience, LLC
 - 2. AJ’s Garage, 1206 E. 2nd Street – Alex Shoppa
 - 3. Bullpen Sports Bar, 1201 Grandview Ave – Tracy Horton
 - 4. Casey’s General Store #1484, 1111 Oregon Street – Casey’s Marketing Co.
 - 5. Casey’s General Store #2906, 3509 Steamboat Way – Casey’s Marketing Co.
 - 6. Casey’s General Store #2944, 3010 University Drive – Casey’s Marketing Co.
 - 7. Circle K #6600, 802 Cypress Street – Mac’s Convenience Stores LLC
 - 8. Dollar General Store #7027, 2000 Cedar Plaza Drive – DolgenCorp, LLC
 - 9. Dollar General Store #19625, 807A Grandview Ave – DolgenCorp, LLC
 - 10. Dollar General Store #18711, 3614 Grandview Ave – DolgenCorp, LLC
 - 11. Express Mart, 4804 S. Grandview Avenue – Aviya LLC
 - 12. Family Dollar Stores of Iowa #21820, 725 E. 2nd Street – Family Dollar Stores of Iowa, Inc.
 - 13. Fareway Stores, Inc. #998, 2100 Cedar Plaza Drive – Fareway Stores, Inc.
 - 14. Fast Avenue One Stop, 2111 Park Avenue – BGA LLC
 - 15. GM Food Mart, 1814 E Avenue, Nanak Express LLC
 - 16. GM Mini Mart, 2307 Lucas Street – Nanak Express LLC
 - 17. Grandview Mart, 714 Grandview Avenue – Malka 13, Inc.
 - 18. Hubble’s Tap, 214 East 2nd Street – Hubble’s Glenda LLC
 - 19. Hy-Vee Food Store, 2400 Second Ave – Hy-Vee, Inc.
 - 20. Hy-Vee Gas 2600 Second Avenue – Hy-Vee Gas
 - 21. Hy-Vee Mainstreet, 510 E. 6th Street – Hy-Vee, Inc
 - 22. Hy-Vee Mainstreet Wine & Spirits, 522 Mulberry Ave, Suite A – Hy-Vee. Inc.
 - 23. Jayde’s Vapor Lounge, 2210 B park Avenue – Jayde Tran
 - 24. Kum & Go #1436, 416 Cedar Street – Kum & Go LC
 - 25. Kum & Go #438, 1429 Park Avenue – Kum & go LC
 - 26. KWIK Star #1064, 3605 University Drive – KWIK Trip, Inc
 - 27. Lazy River Beverage and More, 2116 Park Avenue – Douglas L. Taylor
 - 28. Loo’s Inc., 711 Park Avenue – Loos Inc.
 - 29. Mississippi Brewing Company, 107 Iowa Avenue – Dave Armstrong
 - 30. Moe’s Mart #17, 709 Grandview Avenue – White Oaks Management Inc.
 - 31. Muscatine Citgo Fast Break, 2603 Second Avenue – Reif Oil Company

- 32. New York Dollar Store, 109 East 2nd Street, Antonio Sosa
- 33. No More Butts Vapor Lounge, 108 East 2nd Street – Margaret Haller
- 34. Pearl City Tobacco and Liquor Outlet, 200 Green Street, BGA LLC
- 35. Rasta Lion LLC, 211 E 2nd Street – Midwest Glass Gallery
- 36. Smokin Joe’s #16, 1504 Park Avenue – The Outlet Inc.
- 37. Super Saver Liquor of Muscatine – Tararjeet Singh
- 38. Wal-Mart Supercenter #559, 3003 N. Highway 61 – Wal-Mart Stores, Inc.
- 39. Walgreens #5885, 1703 park Avenue – Walgreen Co.
- 40. West Side Store, 2201 Houser Street – DJMB Enterprises Inc.

*** Items 9A-N – From the Mayor**

- A. Request to Approve Reappointment Steven Bradford to the Airport Advisory Commission.
- B. Request to Approve New Appointment Steven Ellsworth to the Airport Advisory Commission.
- C. Request to Approve Reappointment James Burr to the Art Center Board of Directors.
- D. Request to Approve New Appointments Mark Latta and Aarzo Baharani to the Art Center Board of Directors.
- E. Request to Approve Reappointment Steven Bradford to the Board of Water, Electric and Communication.
- F. Request to Approve New Appointment Jeff Cochran to the Civil Service Commission.
- G. Request to Approve Reappointments Robert Bahn and Beth Johnson to the Convention and Visitors Board.
- H. Request to Approve New Appointment Charles Harper to the Convention and Visitors Board.
- I. Request to Approve Reappointment Julie Wolfe to the Historic Preservation Commission.
- J. Request to Approve New Appointment Devin Pettitt to the Historic Preservation Commission.
- K. Request to Approve New Appointments Gina Othmer and Pete DeGabrielle to the Parks and Recreation Advisory Commission.
- L. Request to Approve New Appointment Julie Wolfe to the Zoning Board of Adjustments.
- M. Request to Approve New Appointments Rochelle Conway, Carolyne Levine, Brad Roeth, Jim Elias and Robert Albee to the Public Art Advisory Commission.
- N. Request to Approve New Appointments Maritza Martinez and Tony Loconsole to the Library Board of Trustees.

*** Items 12A-C – Receive and File**

- A. Muscatine County Board of Supervisors Minutes – 6-3-2019
- B. Muscatine County Board of Supervisors Minutes – 6-10-2019
- C. MPW Financial Statements – April 2019

*** Bills***

- * Approval of attached Bills for Approval totaling \$1,751,690.20, subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

- A. This Public Hearing Concerns the Intent to Acquire or Condemn if Necessary, All or a Portion of Property or an Interest in Property, located at 515 E 2nd Street, for Street Improvement Included in the Mississippi Corridor Project.

Now is the time for the public to comment.

- B. This Public hearing Concerns the Plans, Specifications, Form of Contract and Cost Estimates for the Airport Box Hangars, Taxi lane and Apron Construction Project.

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. Ordinance Amending the Zoning Ordinance of the City of Muscatine

Presented for City Council’s consideration is the second reading of an ordinance amending the zoning ordinance to rezone 1.5 acres located along 5th Street between Walnut Street and Mulberry Avenue. This resolution will change the property from a C-1 Neighborhood & General Commercial and R-5 Multi-Family Residence to C-2 Central Commercial.

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

- B. Ordinance Amending Title 7 Vehicles and Traffic, Chapter 5 Automated Traffic Enforcement

Presented for City Council’s consideration is the second reading of an ordinance amending Title 7, Vehicles and Traffic, Chapter 5 Automated Traffic Enforcement. This amendment will clarify that ATE speed violations are not

limited to marked intersections.

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

C. Ordinance adding Title 8 Chapter 11 Private Wells to the City Code

Presented for City Council's consideration is the second reading of an ordinance adding Title 8 Building Regulation, Chapter 11 Private Wells to the Muscatine City Code. The purpose of this ordinance is to protect public health and safety by regulating the construction of new wells and reuse of old wells for private use.

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

D. Ordinance Amending Chapter 1, Title 8 Storm Shelter Requirements

Presented for City Council's consideration is the second reading of an ordinance amending storm shelter requirements in City Code. Staff recommends amending the code to maintain the safety aspects of the code while minimizing the costs.

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

E. Ordinance Amending Title 9 Health and Sanitary Regulations, Chapter 3 Nuisance

Presented for City Council's consideration is the second reading of an ordinance amending Title 9, Chapter 3 of City Code. Iowa Legislature drafted and passed Senate File 93, which included various amendments to Iowa Code chapter 657a. These amendments created additional mechanisms for private parties to seek court intervention and require corrections and improvements to abandoned structures within City limits. In order for private parties to be able to avail themselves of the new private remedies available cities must opt in, via ordinance, to allow these new remedies to exist within city limits.

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

F. Resolution Approving Acquisition and Potential Condemnation of Land owned by Gregory A. Johnston (Public Hearing A)

Presented for City Council's consideration is a resolution approving the acquisition and potential condemnation of land owned by Gregory A. Johnston. This property needs to be acquired in order to proceed with the roundabout at E. 2nd Street and Mulberry.

Is there a motion to adopt this resolution as submitted?

G. Resolution Approving Purchase Sales Agreement for 515 E. 2nd Street

Presented for City Council's consideration is a resolution approving a Purchase Sales Agreement between the City of Muscatine and Gregory Johnston, for the purchase of 515 E. 2nd Street. This property is needed in order to begin the construction of a roundabout at 2nd Street and Mulberry Ave. The purchase price agreed on is \$75,000 with the City paying for the demolition of the building. The City will take possession of said property on August 1, 2019.

Is there a motion to adopt this resolution as submitted?

H. Resolution Approving Plans, Specifications, Form of Contract and Cost Estimates for Airport Box Hangar, Taxi Lane and Hangar Apron Project. (Public Hearing B)

Presented for City Council's consideration is a resolution approving plans and specifications, form of contract, and cost estimates to construct a 3-unit hangar, taxi lane and Apron.

Is there a motion to adopt this resolution as submitted?

I. Resolution Setting Public Hearing for Final Design of Westside Trail

Presented for City Council's consideration is a resolution setting a public hearing for July 3, 2019 for the West Side Trail Project. The final design and property acquisitions are complete. Prior to letting on August 20, 2019, a public hearing is required.

Is there a motion to adopt this resolution as submitted?

J. Resolution Setting Public Hearing for Muscatine Capital Improvement Plan for Fiscal Years 2020-2024

Presented for City Council's consideration is a Resolution setting a public hearing for July 3, 2019, for the Muscatine Capital Improvement Plan for Fiscal Years 2020-2024. At the June 13th In-Depth City Council Meeting, City Council came to a consensus to have this final draft brought forward for adoption.

Is there a motion to adopt this resolution as submitted?

K. Resolution Setting Public Hearing for East 2nd Street and Mulberry Roundabout

Presented for City Council's consideration is a resolution setting a public hearing for July 3, 2019, for the East 2nd Street and Mulberry roundabout. This project will be let locally by the City and is expected to begin in early August.

Is there a motion to adopt this resolution as submitted?

L. Request to Sign Agreement Addendum for the Westside Trail Project

Presented for City Council's consideration is a request to sign agreement addendum for the Westside Trail Project. BiState MPO has informed Muscatine they have reallocated unused earmarks in our region and there is an additional \$72,926.16 available for this project.

Is there a motion to approve this request as submitted?

M. Request to Approve Contract with the Iowa Department of Transportation for receiving State Transit Operating Assistance Project funding

Presented for City Council's consideration is a request to approve entering into an agreement with the Iowa Department of Transportation, to receive Joint Participation funds for the Transit Department in the amount of \$249,583.00.

Is there a motion to approve this request as submitted?

N. Request to approve issuance of purchase order for Three Transit Buses

Presented for City Council's consideration is a request to approve the issuance of a purchase order for 3 Transit Buses. 80% of Funding for these buses was acquired through the Iowa Department of Transportation and the City is responsible for the remaining 20%.

Is there a motion to approve this request as submitted?

O. Request to Approve Supplemental Agreement with Department of Transportation for maintenance of primary roads in municipalities

Presented for City Council's consideration is a request to approve an annual supplemental Agreement with the Iowa DOT for maintenance of primary roads in municipalities.

Is there a motion to approve this request as submitted?

P. Request to Authorize Issuance of a Purchase Order for Sewer Push Camera

Presented for City Council's consideration is a request to approve the issuance of a purchase order in the amount of \$8,410.00, to Municipal Pipe Tool for the purchase of a sewer push camera. Six bids were received with Municipal Pipe Tool being the lowest bid.

Is there a motion to approve this request as submitted?

Q. Request to Approve Agreement for Arbor Commons Sewer Extension Benefit

District Establishment

Presented for City Council's consideration is a request to approve an agreement for Arbor Commons Sewer Extension Benefit District Establishment. Under this agreement NSPW will construct the sewer infrastructure serving Arbor Commons neighborhood, including a lift station and then dedicate it to the City of Muscatine.

Is there a motion to approve this request as submitted?

R. Request to Approve Employee Assistance Program (EAP) Renewal

Presented for City Council's consideration is a request to approve a contract with Genesis Health Systems to provide Employee Assistance Services. The City had a prior contract with Genesis that expires in 2019. Genesis has offered a new 3-year contract with the same provisions

Is there a motion to approve this request as submitted?

S. Request to Approve IMWCA and ICAP Insurance Renewals

Presented for City Council's consideration is a request to approve the renewal of the City of Muscatine's Insurance package. Staff recommends authorizing AJG to bind the insurance coverage as outlined in the attached executive summary.

Is there a motion to approve this request as submitted?

12. COMMUNICATIONS - RECEIVE AND FILE

13. APPROVAL OF BILLS

It is recommended bills totaling \$1,751,690.20, 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

16. ADJOURNMENT