

# MUSCATINE CITY COUNCIL



## 2021 MEETING SCHEDULE

(All meetings start at 7:00 PM Unless voted upon by Council.)

	<u>Regular Meetings</u>	<u>In-depth Meetings</u>	
January 7 & 21	July 1 & 15	January 14	July 8
February 4 & 18	August 5 & 19	February 11	(No Meeting)
March 4 & 18	September 2 & 16	March 11	September 9
April 1 & 15	October 7 & 21	April 8	October 14
May 6 & 20	November 4 & 18	May 13	(No Meeting)
June 3 & 17	December 2 & 16	June 10	December 9

**Due to COVID-19 precautions City Council Meetings  
Are being held virtually until further notice  
The Public is welcome to join the meeting using  
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# AGENDA

**THURSDAY MARCH 4, 2021  
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 Council Meeting Minutes– February 18, 2021

**\* Item 8 Petitions and Communications**

**\* Item 9A From the Mayor**

- A. Arbor Day Proclamation

**\* Items 12A-E Receive and File**

- A. Muscatine County Board of Supervisors Minutes Feb 15, 2021
- B. Muscatine County Board of Supervisors Minutes Feb 22, 2021
- C. MPW Financials January 2021
- D. Board of Water, Electric and Communications January 2021 Minutes
- E. City of Muscatine Financial Reports January 2021

**\* Bills\***

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

6. **MINUTES – APPROVAL**

7. **PUBLIC HEARING**

- A. Public Hearing on proposed amended development agreement with Bush Development, LLC and Hershey Property, LLC for Hershey Building Project.

Now is the time for the Public to comment.

B. Public Hearing on maximum tax levy for fiscal year 2021/2022 budget

Now is the time for the public to comment

8. **PETITIONS AND COMMUNICATIONS**

9. **FROM THE MAYOR**

A. Presentation of Arbor Day Proclamation

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

11. **FROM THE CITY ADMINISTRATOR**

A. Ordinance Amending Title 6, Chapter 3, Section 13, General Offenses to the City Code (Second Reading) (Brett Talkington)

Staff proposes adoption of an ordinance amending Title 6, Chapter 3, Section 13 of the Muscatine City Code related to disorderly conduct. The intent of the proposed changes is to align the City Code with the State Code relating to the crime of disorderly conduct. The change will also enhance the City's abilities to address persons violating the disorderly conduct code.

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

B. Resolution Approving Amended Development Agreement with Bush Development, LLC and Hershey Property, LLC Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement for the Hershey Building. Public Hearing A (Nancy Lueck)

At the June 11, 2020 In Depth meeting, City Council reviewed a request to amend the Development Agreement with Hershey Property LLC and Bush Development LLC to increase the amount of the tax increment rebate from a maximum of \$500,000 to an amount not to exceed \$700,000. At that meeting, City Council gave consensus approval of this request. The increase in the maximum amount in the Development Agreement was included in the Urban Renewal Plan Amendment approved by City Council on February 4, 2021. At the February 18, 2021 meeting, the City Council set the required public hearing for the Amended Development Agreement for March 4, 2021. After the public hearing, the City Council will consider the Resolution approving the Amended Development Agreement.

Is there a motion to adopt this Resolution as submitted?

C. Resolution Approving the Maximum Property Tax Dollars for Certain Tax Levies for the City of Muscatine's Fiscal Year 2021/2022 Budget. (Nancy Lueck)

All cities in Iowa are required by the State to pass a resolution establishing their maximum property tax dollars for certain levies prior to adoption and certification of the final budget. The City Council recently completed their review of the proposed City budget for the upcoming year. The proposed total property tax levy rate for the 2021/2022 budget is \$15.67209 per \$1,000 of valuation, which is the same total tax rate as the last nine years. With the 4.86% increase in taxable valuations, total property tax revenue for the City will increase by \$677,005, which is a 4.76% increase in property tax dollars.

Per State requirements, the Notice of Public Hearing for the 1<sup>st</sup> public hearing on the budget only included the General, Transit, Tort Liability/Insurance, Emergency, and Employee Benefits levies. The tax dollars from those levies total \$12,597,193 compared to \$11,991,593 for those levies for the current fiscal year 2020/2021 budget. This is a \$605,600 (5.05%) increase in tax dollars when considering only the levies in the public notice.

Is there a motion to adopt this Resolution as submitted?

D. Resolution Setting Public Hearing #2 on the Proposed City Budget for Fiscal Year 2021/2022 (Nancy Lueck)

The City Council completed the budget review process for the fiscal year 2021/2022 budget in February. Two public hearings are required in order for City Council to adopt the annual budget for the upcoming year. City Council, at the February 18 meeting set the first public hearing for March 4, 2021, on the Proposed Maximum Property Tax Dollars for Certain Levies for 2021/2022. After this hearing, the City Council will consider the Resolution approving the maximum tax levy dollars for these levies for fiscal year 2021/2022.

After that action on March 4, the City Council will need to set the next public hearing (Hearing #2) on the adoption of the budget and the certification of taxes for the 2021/2022 budget. The proposed total property tax levy rate for the 2021/2022 budget is \$15.67209 per \$1,000 of valuation, which is the same total tax rate as the last nine years.

This resolution will set a public hearing for March 18, 2021, at 7:00 p.m. on the adoption of the fiscal year 2021/2022 budget. The City Council will be meeting electronically via gotomeeting due to the COVID-19 pandemic. At this electronic meeting, the public can comment on the proposed Fiscal Year 2021/2022 Budget. Electronic access information to the Council meeting and public hearing is included in the public hearing notice and in the posted agenda for the meeting on

the City's website at muscatineiowa.gov

Is there a motion to adopt this resolution as submitted?

- E. Resolution Setting Public Hearing on Proposed Amendment #1 to the FY 2020/2021 Budget – (Nancy Lueck)

The City Council recently completed the budget review process for the fiscal year 2021/2022 budget. As part of that review, revised estimate revenue and expenditure amounts for the current year (2020/2021) were also reviewed by City Council. Each year, these revised estimate amounts become Amendment #1 to the current year budget.

Prior to the adoption of a budget amendment, a public hearing is required. The attached resolution will set a public hearing for March 18, 2021, at 7:00 p.m. concerning Amendment #1 to the 2020/2021 City budget.

The City Council will be meeting electronically via gotomeeting due to the COVID-19 pandemic. At this electronic meeting, the public can comment on the proposed Amendment #1 to the fiscal year 2020/2021 budget. Electronic access information to the Council meeting and public hearing is included in the public hearing notice and in the posted agenda for the meeting on the City's website at muscatineiowa.gov.

Is there a motion to adopt this resolution as submitted?

- F. Resolution Setting a Public Hearing for the 2022 Transit Consolidated Funding Application (Amy Fortenbacher)

The City of Muscatine Transit (Muscabus) applies annually for State and Federal Transit funds through a Consolidated Funding Application. A public hearing is required as part of the application. This public hearing will be set for April 15, 2021.

Is there a motion to adopt this Resolution as submitted?

- G. Resolution Awarding a Contract for the 2020/2021 Hot Mix Asphalt Alley Overlay Project to Manatts, Inc. in the Amount of \$168,909.25. (Pat Lynch)

The City of Muscatine Public Works Department has compiled a list of alleys to be overlaid with hot mix asphalt during Fiscal Year 2020/2021. The bids were received on February 23, 2021, at 10:00 am and have been tabulated. Manatts, Inc. was the lowest responsive, responsible bidder with a bid of \$168,909.25. Funds for this project are available in the Roadway Maintenance Budget.

Is there a motion to adopt this Resolution as submitted?

- H. Resolution Awarding the Contract for the 2020/2021 Hot Mix Asphalt Overlay Project to Manatt's for the Amount of \$528,450.00. (Pat Lynch)

The City of Muscatine Public Works Department has compiled a list of streets to be overlaid with hot mix asphalt during Fiscal Year 2020/2021. Bids were received on February 23, 2021, at 10:00 am and have been tabulated (bid tab attached). Manatt's was the apparent low responsive, responsible bidder with a bid of \$528,450.00. Funds for this project are available in the Roadway Maintenance Budget.

Is there a motion to adopt this Resolution as submitted?

- I. Resolution Awarding the Contract for the 2020/2021 Full-Depth Patching Project to All American Concrete, Inc. for the Amount of \$443,925.00. (Pat Lynch)

The City of Muscatine Public Works Department has compiled a list of streets to be full-depth concrete patched during Fiscal Year 2020/2021. The bids were received on February 23, 2021, at 10:00 am and have been tabulated (bid tab attached). All American Concrete, Inc. was the apparent low responsive, responsible bidder with a bid of \$443,925.00. Funds for this project are available in the Roadway Maintenance Budget.

Is there a motion to adopt this Resolution as submitted?

- J. Resolution Setting a Public Hearing for on a Development Agreement with JNB Family 1, LP and the Ales Foundation, Including Annual Appropriation Tax Increment Payments

At its February 18 meeting, City Council tabled the approval of the development agreement with the JNB Family 1, LP and the Ales Foundation for the development of 42 rental housing units on Steamboat Way.

A public hearing will be held before City Council considers approval of the development agreement. The proposed date for the hearing is March 18, 2021.

Is there a motion to adopt this Resolution as submitted?

- K. Request to Approve Consultant Agreements for Construction Management and Inspection (Brian Stineman)

Public Works requests to enter into contracts with Koala Consulting and Steve Dalbey for construction related consulting services for the remaining of calendar

year 2021.

A recent city financial audit recommended that City Council approve annually all contracts and pay rates with consultants that provide engineering services on various construction projects. In an effort to follow up on this recommendation, staff prepared contractor agreements (with a review by the contractors) for City Council consideration and approval. The pay rates outlined within each agreement are the same as the current pay rates.

Public Works plans to transition away from having the majority of these services provided by consultants and instead utilizing City staff, provided that such staff are funded in the Fiscal Year 2021/2022 approved budget.

Is there a motion to approve this Request as submitted?

- L. Approval of a One-Year Extension to the Current Agreement with Republic Services for the Collection and Disposal of Residential Curbside Recycling (David Popp)

Public Works Staff requests the approval of a one-year extension to the current agreement with Republic Services of Bettendorf Iowa for the collection and disposal of residential curbside recycling. This extension will also amend the contract language to include Republic Services providing a cardboard and single stream recycling drop off area at the City of Muscatine Transfer Station for Muscatine residents while keeping the monthly curbside recycling rate at \$3.86 per household.

Is there a motion to approve this Request as submitted?

- M. Request to Approve a Purchase Order to DJ Gongol & Associates in the Amount of \$10,720 for the Purchase of Two Leachate Pumps for Landfill Operations (David Popp)

Staff requests the approval of a purchase order in the amount of \$10,720.00 to DJ Gongol & Associates of Cummings Iowa, for the purchase of two pumps to be used for the leachate collection system at the Muscatine County Landfill. DJ Gongol & Associates was the lowest responsive bidder. \$10,000.00 has been budgeted in the current FY to purchase the pumps. These funds are available in the Landfill Operating Equipment budget. The remaining \$720.00 can be absorbed in the Landfill Operating Equipment budget.

Is there a motion to approve this Request as submitted?

- N. Request to Approve a Concessions Operation Agreement with Hy-Vee Food Store (Rich Klimes)

Staff requests approval of an agreement with Hy-Vee Food Store for concession operations at Kent-Stein Park, the Soccer Complex, and the Aquatic Center for a period of five (5) years with annual reviews and adjustments as mutually agreed upon between the City and Hy-Vee. Staff solicited bids from 30 potential vendors and Hy-Vee was the only responsive bidder.

Is there a motion to approve this Request as submitted?

- O. Request to Approve a Purchase Order to Alliant Energy in the Amount of \$12,000 for the Installation of Natural Gas Service to the New Airport Hangars at the Muscatine Municipal Airport. (Jodi Royal-Goodwin)

Staff requests approval of a purchase order in the amount of \$12,000 to Alliant Energy for the installation of gas service to the newly constructed hangars at the Muscatine Municipal Airport. Such service was anticipated by both parties when lease agreements for the hangars were executed. (Jodi Royal-Goodwin)

Is there a motion to approve this request as submitted?

- P. Request to Approve Purchase Order for Magnolia Lift Station New Pumps and Control Panel Installation

The WRRF staff have received two quotes for the purchase and installation of two new pumps and control panel at the Magnolia Lift Station. The station's one existing pump needs a back-up to maintain continuous operation and an alarm system to notify staff when there is an issue. Iowa Pump Works had the lowest bid of \$15,497.97. There is \$25,000 budgeted for this project.

Is there a motion to approve this request as submitted?

- Q. Request to Enter Into Contract to Assist with Construction Services for Grandview Avenue Reconstruction Project.

Since the Grandview Avenue Reconstruction Project includes funding from the Iowa DOT, their processes must be followed for Construction Project Management and Inspection. Due to staffing changes and current workload, the City requested a proposal from Bolton & Menk, Inc to assist with Construction Phase Services. The contract with Bolton & Menk, Inc. will be on an hourly basis with a "not to exceed" total of \$495,841.00. This contract will be for the duration of the entire project and includes assistance with APPIA, DocExpress and the Iowa DOT Audit at the end of the project.

The cost for construction phase services was included in the original budget for this project. The proposal amount of \$495,841.00 is approximately 4.9% of the Engineer's opinion of probable construction cost of \$10,100,000. According to the Iowa DOT's Local Public Agency Guide on securing consultant assistance with design and construction, the typical percentage of total construction cost for Construction Phase Services falls in the 12% - 15% range.

Is there a motion to approve this Request as submitted?

12. **COMMUNICATION – RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling , 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**