

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 –
- * 13 – A-F
- * Bills*

* Approval of attached Bills for Approval totaling \$787,597.78, as well as November 2006 receipt summaries, is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Rezoning of 12.766 Acres in Sandstone Crossing

Previously the City Council took action to establish a public hearing on a proposed zoning change within the City of Muscatine. The city has received a request from Jeff Kokemuller of 3D Development to change the zoning of 12.766 acres of real estate from AG and C-1 to C-1 (neighborhood and general commercial). The proposed zoning change would facilitate the owner's plans for residential and commercial development at this site. 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 zoning change within the City of Muscatine.

B. Proposed Rezoning of 24.549 Acres in Sandstone Crossing

Previously the City Council took action to establish a public hearing on a proposed zoning change within the City of Muscatine. The city has received a request from Jeff Kokemuller of 3D Development to change the zoning of 24.549 acres of real estate from AG to RL (large scale residential). 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 zoning change within the City of Muscatine.

9. **PETITIONS AND COMMUNICATIONS**

A. There are no liquor license renewal requests.

10. **FROM THE MAYOR**

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

12. FROM THE CITY ADMINISTRATOR

A. First Reading of an Ordinance Rezoning 12.766 Acres in the Sandstone Crossing Subdivision

Presented for City Council's consideration is the first reading of an ordinance rezoning 12.766 acres in the Sandstone Crossing Subdivision. The request for rezoning will be from AG and C-1 to C-1 (neighborhood and general commercial). The first zoning change will permit the expansion of existing commercial property from approximately 9 acres to 12.766 acres. In 1999 the city authorized the zoning change of approximately 9 acres from AG to C-1 to replace commercially zoned property that was acquired by the IDOT as part of the Highway 61 four-lane project. If approved, the current proposal would expand the zoning by an additional 3.5 acres and would permit a clear zoning line to be established for the property.

Is there a motion to take action on the first reading of an ordinance amending the zoning ordinance of the City of Muscatine?

B. First Reading of an Ordinance Rezoning 24.549 Acres in the Sandstone Crossing Subdivision

Presented for City Council's consideration is the first reading of an ordinance rezoning 24.549 acres in the Sandstone Crossing Subdivision. The change in zoning would be from AG to R-L (large scale residential development).

Is there a motion to take action on the first reading of an ordinance amending the zoning ordinance of the City of Muscatine?

C. First Reading of an Ordinance Amending Title 7 Police Regulations, Chapter 16 Parental Responsibilities, Section 5 Notification of Parents; Record of Notification

Presented for City Council's consideration is the first reading of an ordinance amending Title 7 Police Regulations, Chapter 16 Parental Responsibilities, Section 5 Notification of Parents; Record of Notification. The proposed change in the city's ordinance would require a copy of the notification shall be provided to the minor's school attendance center in accordance with Iowa Code. By incorporating this one very small change, the city's ordinance will be complaint with state statutes.

Is there a motion to take action on the first reading of an ordinance amending Title 7 Police Regulations, Chapter 16 Parental Responsibilities, Section 5 Notification of Parents; Record of Notification?

D. Second Reading of an Ordinance Vacating City Right-of-Way in the City of Muscatine

Presented for City Council's consideration is the second reading of an ordinance vacating city right-of-way in the City of Muscatine. The proposed action would vacate an alley right-of-way remnant and eventually allow for the property to be sold to Musco Sports Lighting. The company recently purchased approximately 75 acres of property generally bounded by Musser Street to the north, Grandview Avenue to the east, and Houser Street to the west. This alley vacation will allow the company to restore private access to the truck docks serving the existing warehouse at this location.

Is there a motion to take action on the second reading of an ordinance vacating city right-of-way in the City of Muscatine?

E. Resolution Accepting Completed Work for the CBD Miscellaneous and W. 3rd Street Sanitary and Storm Sewer Improvements Project and Authorizing Final Payment

Presented for City Council's consideration is a resolution accepting the completed work for the CBD Miscellaneous and W. 3rd Street Sanitary and Storm Sewer Improvement Project and authorizing final payment. The project consisted of the separation of the combined sewer system bounded by Cedar Street, Mulberry Avenue, and E. 5th and E. 8th streets. It was replaced with a new properly sized separated storm and sanitary sewer system. This separation work eliminates one more large section of combined sewers in accordance with the city's long range plan to eliminate combined sewers and combined sewer overflows in response to state and federal guidelines. Curb to curb street replacement or resurfacing was also completed as part of this project.

Is there a motion to take action by resolution accepting the completed work for the CBD Miscellaneous and W. 3rd Street Sanitary and Storm Sewer Improvement Project and authorizing final payment?

F. Resolution Setting Time and Place of a Public Hearing on a Proposed TIF Agreements – Musco Sports Lighting

Presented for City Council's consideration is a resolution setting a public hearing on proposed TIF agreements for Musco Sports Lighting. Currently the City of Muscatine has in place a TIF agreement with Musco Sports Lighting for improvements that were made to their existing facility located on Stewart Road. Those improvements and commitments for job creation have been successfully completed. However, additional improvements to the facility have been made and it is proposed to amend the current TIF agreement to allow for that incremental growth to be captured by the company. In addition to the proposed amendment to the current TIF agreement, it is being proposed to establish a new TIF agreement for the proposed expansion and improvements located at a new site owned by Musco. At the recommendation of legal counsel for the city who prepares such documentation, it is recommended that a public hearing be held.

Is there a motion to take action by resolution establishing a public hearing for the proposed TIF amendment and TIF agreement for Musco Sports Lighting for Thursday, January 18, 2007, at 7 p.m.?

G. Resolution Accepting the Low Bid for the Muscatine Owner-Occupied Housing Rehabilitation Program for 311 Clinton Street

Presented for City Council's consideration is a resolution accepting the low bid for the Muscatine Owner-Occupied Housing Rehabilitation Program for 311 Clinton Street. As part of the city's housing rehabilitation efforts in the Riverbend Neighborhood, bids were accepted for the rehab projected located at 311 Clinton Street. One bid was submitted for the project. Following a review by the Muscatine Rehabilitation Committee, the bid submitted by North Construction of Muscatine for \$22,235 was accepted. This bid also includes \$425 in lead based paint abatement costs. A total of \$24,999 is set aside for each rehabilitation project.

Is there a motion to take action by resolution accepting the low bid from North Construction in the amount of \$22,235 for the Muscatine Owner-Occupied Housing Rehabilitation Program for 311 Clinton Street?

H. Request Authorization to Declare Police Vehicles as Surplus and Purchase of New Used Vehicle for Police Department

Presented for City Council's consideration is a request for the declaration of property as surplus. The Muscatine Police Department wishes to proceed with the replacement of a vehicle that was damaged in an accident in the fall of 2006. Utilizing the proceeds from the insurance settlement as well as the potential trade in of two vehicles currently owned by the city and utilized by the Police Department, to then be used to purchase one new used vehicle for use by the department. After reviewing the used car marketplace, it is recommended that a used vehicle from Krieger Motors in the amount of \$14,990 be purchased utilizing the trade in value of the two vehicles and the \$11,000 insurance settlement this will take cover the cost of the new used vehicle.

Is there a motion to declare two city vehicles as surplus and to allow them for trade in for the acquisition of a new used vehicle for the Police Department?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – December 4, 2006
- B. Historic Preservation Commission – November 15, 2006
- C. Library Board of Trustees – November 15, 2006
- D. MP&W Board of Water, Electric, and Communications Trustees – November 28, 2006
- E. Zoning Board of Adjustment – November 7, 2006
- F. City of Muscatine Financial Reports – November 2006

14. APPROVAL OF BILLS

It is recommended bills totaling \$787,597.78, as well as November 2006 receipt summaries, 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

A. Request Authorization to Enter Closed Session to Discuss Pending Litigation

At this time it is requested that City Council enter into Closed Session to discuss pending litigation.

17. ADJOURNMENT