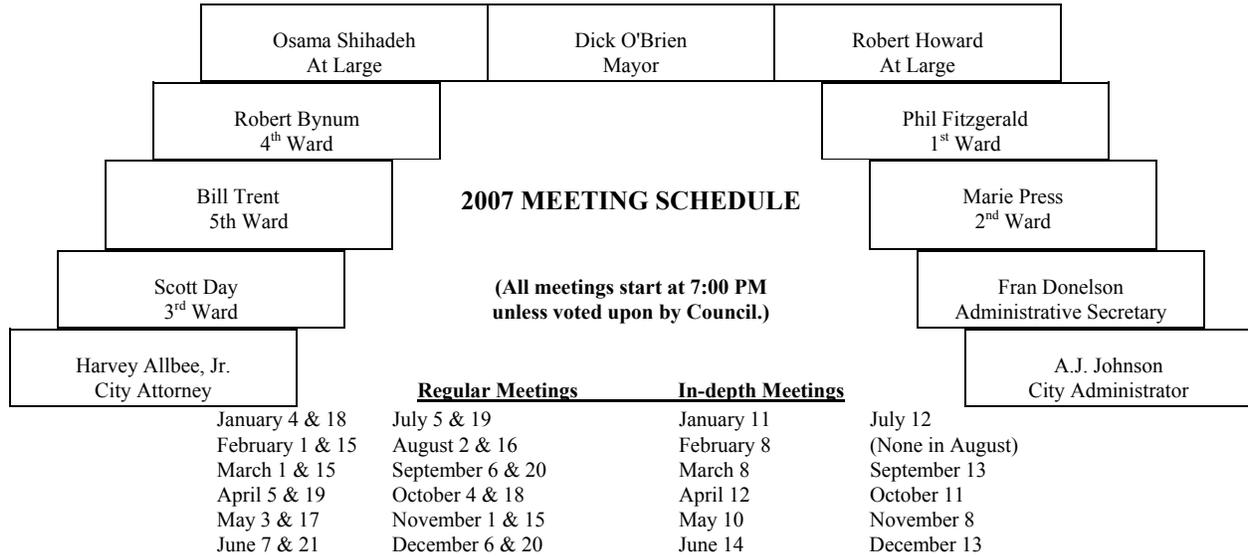


CITY COUNCIL



AGENDA

**THURSDAY, MARCH 1, 2007
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 – February 15, 2007
- B. City Council Budget Meetings – February 12 & 21, 2007

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 – A-J
- * 13 – A-G
- * Bills*

* Approval of attached Bills for Approval totaling \$836,817.14, as well as receipt summaries for January 2007, is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Vacation of Utility Easements in the Donohoe Addition

Previously the City Council took action to establish a public hearing for public comment on the proposed vacation of utility easements in the Donohoe Addition. White Distribution & Supply, 3702 Park Avenue, owners of Lot 3B in this addition, have recently acquired Lot 3A and as part of the acquisition, is requesting that existing utility easements be vacated for development purposes. The request has been reviewed and approved by all affected utilities. 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 utility easements in the Donohoe Addition.

9. **PETITIONS AND COMMUNICATIONS**

- A. Request on second reading for a new Class BW Beer/Wine and Sunday Sales Permit for China Garden, 2016 Cedar Plaza Drive #3 – M&J of Muscatine Corporation (pending receipt of final paperwork)
- B. Request for renewal of a Class LE Liquor License and Sunday Sales Permit for Drugtown, 510 E. 6th Street – Hy-Vee Inc.
- C. Request for renewal of a Class LE Liquor License and Sunday Sales Permit for Wholesale Food Outlet #312, 807 Grandview Avenue – Nash Finch Company
- D. Request for renewal of a Class LC Liquor License and Sunday Sales Permit for Diamond Dave’s Taco Co., 2608 2nd Avenue – South of the Border Inc.

- E. Request for renewal of a Class LC Liquor License with Outdoor Service and Sunday Sales Permit for The Rendezvous, 3127 Lucas Street – Cindy’s Rendezvous LLC
- F. Request for renewal of a Class LC Liquor License with Outdoor Service and Sunday Sales Permit for Rumors, 1415 Grandview Avenue – Fluff LLC
- G. Request for renewal of a Class BC Beer and Sunday Sales Permit for Kum & Go #436, 501 Cedar Street – Kum & Go LC
- H. Request for renewal of a Class BC Beer and Sunday Sales Permit for Kum & Go #437, 709 Grandview Avenue – Kum & Go LC
- I. Request for renewal of a Class BC Beer and Sunday Sales Permit for Kum & Go #438, 1010 Park Avenue – Kum & Go LC
- J. Request for a Taxicab License for BuzzBus – Jennifer Medlang, 609 W. 2nd Street (pending receipt of insurance)

10. FROM THE MAYOR

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

- A. Final Reading of an Ordinance Amending Title 12, Chapter 2, Section 3(E) of the City Code for Muscatine

Presented for City Council’s consideration is the third and final reading of an ordinance amending Title 12, Chapter 2, Section 3(E) of the City Code for Muscatine. This ordinance as proposed would require sidewalks within rural residential subdivisions within the city limits and within the two mile limit of the city. The ordinance provides the specifications for the installation of sidewalks and also provides the City Council latitude to provide for other specifications and conditions associated with the installment of sidewalks within these areas.

Is there a motion to take action on the third and final reading of an ordinance amending Title 12, Chapter 2, Section 3(E) of the City Code and to direct for its publication?

- B. Resolution Authorizing the Vacation of Existing Utility Easements in the Donohoe Addition

Presented for City Council’s consideration is a resolution authorizing the vacation of existing utility easements in the Donohoe Addition. Previously a public hearing was held to receive public comment on the proposed vacation of existing utility easements located on and between Lots 3A and 3B of this addition. The vacation of the existing easements is being requested to accommodate future development on these two lots.

Is there a motion to take action by resolution vacating existing utility easements in the Donohoe Addition?

C. Resolution Setting the Time and Place of a Public Hearing Concerning the Vacation of Public Utility Easement in the Wood Creek Subdivision

Presented for City Council's consideration is a resolution setting the time and place of a public hearing concerning the vacation of a public utility easement in the Wood Creek Subdivision. The city has received a request from an individual who has recently purchased Lot 7 of the Wood Creek Addition and an additional strip of land immediately north of this lot. He intends to build an addition onto the house and needs to vacate the unused utility easement that runs along the north boundary of Lot 7. Prior to any formal action by City Council, a public hearing is required.

Is there a motion to take action by resolution establishing a public hearing for Thursday, March 15, 2007, at 7 p.m. concerning the vacation of a utility easement in the Wood Creek Subdivision?

D. Resolution Setting Time and Place of a Public Hearing on the 2007 Halstead Street Roadway and Infrastructure Improvement Project

Presented for City Council's consideration is a resolution setting the time and place of a public hearing on the 2007 Halstead Street Roadway and Infrastructure Improvement Project. This project would involve the separating of sewers in the neighborhood as well as addressing storm water issues. The project includes grading and paving, the addition of curb and gutter, storm water improvements, rebuilt driveways and approaches, and sidewalk replacement. This project has been identified as part of the 1% local option sales tax program. The estimated cost would be under \$100,000.

Is there a motion to take action by resolution setting a public hearing on the 2007 Halstead Roadway and Infrastructure Improvement Project for Thursday, March 15, 2007, at 7 p.m.?

E. Resolution Authorizing the Assessment of Unpaid Abatement Costs to Private Properties

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid abatement costs to private properties. City staff is forwarding for City Council's consideration two properties that have failed to pay for nuisance abatement costs. The total for this work is \$945.86. With this action, these assessments will be placed against the property.

Is there a motion to take action by resolution authorizing the assessment of unpaid abatement costs to private properties?

F. Resolution Authorizing the Assessment of Unpaid Rental Inspection Fees to Private Properties

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid rental inspection fees to private properties. Forwarded for City Council's consideration is a request to assess rental inspection fees to private properties. In March and February 2006, the city incurred expenses totaling \$2,290 for inspection services for rental properties. At this time these costs remain unpaid and staff is requesting that they be assessed against the appropriate properties.

Is there a motion to take action by resolution authorizing the assessment of unpaid rental inspection fees to private properties?

G. Resolution Amending and Approving Seasonal Pay Plan Effective April 1, 2007

Presented for City Council's consideration is a resolution amending and approving the seasonal pay plan effective April 1, 2007. In response to the state's mandated change in the minimum wage, the city has adjusted seasonal pay plan that will be effective April 1, 2007. In advance of the anticipated changes, city staff did build in a percentage increase large enough to cover the required changes. If approved, this will be the new pay plan for our seasonal workforce through December 31, 2007.

Is there a motion to take action by resolution amending and approving the official pay plan for seasonal employees for the City of Muscatine effective April 1, 2007?

H. Resolution Amending and Approving Seasonal Pay Plan Effective January 1, 2008

Presented for City Council's consideration is a resolution amending and approving the seasonal pay plan effective January 1, 2008. In response to a state mandated change in the minimum wage, the city's seasonal pay plan is suggested to be changed effective January 1, 2008. Effective January 1, 2008, the minimum wage in the State of Iowa will increase and therefore require the city to adjust its seasonal pay plans.

Is there a motion to take action by resolution amending and approving the official pay plan for seasonal pay plans for the City of Muscatine effective January 1, 2008?

I. Request Approval of 28E Agreement Between City and Muscatine School District for Tom Bruner Field

Presented for City Council's consideration is a request to approve a 28E Agreement between the City of Muscatine and the Muscatine School District for the Tom Bruner Field. Beginning in 1997, the city entered into a 28E Agreement with Muscatine Community College and the school district for the operation of Tom Bruner Field. The original agreement was renewed in 2003 and is due to be renewed again. The first two agreements were for a five-year period. The current agreement is requested to be renewed for a period of

three years. The general provision of the contract is that the city will lease Tom Bruner Field to MCC and the school district. In addition, the MCC Athletic Department will agree to serve as principal for this contract and be responsible for the physical maintenance of the ball diamond. Capital projects will be identified by the city prior to any improvements being made.

Is there a motion to take action to approve the 28E Agreement between the City of Muscatine and Muscatine Community College and the Muscatine School District for the use of the Tom Bruner Field?

J. Request Approval of Vehicle Purchase for Water Pollution Control Plant

Presented for City Council's consideration is a request to approve the purchase of a vehicle for the Water Pollution Control Plant. Included in this fiscal year's budget are monies for the purchase of a new pickup truck for the WPCP operation. Bids were solicited from local dealers with one responding. Within the one response, four bids were received. After an evaluation of the bids submitted, we are recommending the purchase of a 2007 Chevy ½ ton 4-wheel drive pickup from Krieger Motors for a delivered price of \$20,367.35. Prior to the solicitation of bids, it was determined that the used vehicle will be sold within the city's operation at the price offered as a trade in for this vehicle. This vehicle will be transferred over to the transfer station operation upon delivery of the new vehicle.

Is there a motion to take action to authorize the purchase of a 2007 Chevy ½ ton 4-wheel drive pickup from Krieger Motors in the amount of \$20,367.35?

K. Request from Fire Department to Submit Grant Applications to Muscatine Health Support Foundation for Equipment and Training Purposes

Presented for City Council's consideration is a request from the Fire Department to submit grant applications to the Muscatine Health Support Foundation for training purposes and for a CPAP. The first grant is for four continuous positive airway pressure ventilation devices, one for each ambulance. The price for these devices will be \$4,500. The second request is for additional training for up to eight paramedics to gain their critical care paramedic endorsement. We currently have six paramedics that have received this level of training. The grant request for eight is at \$700 per student for a total of \$5,600. There is no local match required for these grants.

Is there a motion to authorize the submission of grant applications to the Muscatine Health Support Foundation for equipment and training purposes?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – February 12, 2007
- B. Art Center Board of Trustees – February 15, 2007
- C. Historic Preservation Commission – January 17, 2007
- D. MP&W Financial Reports – Water Utility – December 2006

- E. MP&W Financial Reports – Communication Utility – December 2006
- F. MP&W Financial Reports – Electric Utility – December 2006
- G. City of Muscatine Financial Reports – January 2007

14. APPROVAL OF BILLS

It is recommended bills totaling \$836,817.14, as well as receipt summaries for January 2007, 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