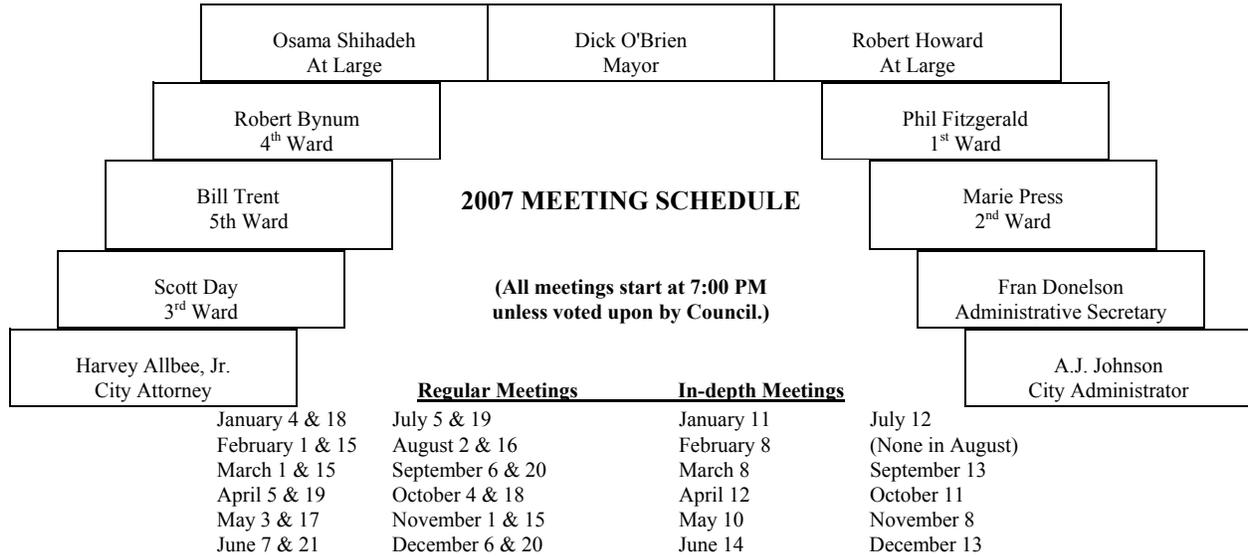


# CITY COUNCIL



## AGENDA

**THURSDAY, MARCH 15, 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 – March 1, 2007
- B. In-Depth City Council Meeting – March 8, 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-D
- \* 13 – A-G
- \* Bills\*

\* Approval of attached Bills for Approval totaling \$1,301,631.90 is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Vacation of Utility Easement in Wood Creek Subdivision

Previously City Council took action to establish a public hearing for the proposed 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. The intention is to build an addition on to the house, and the property owner 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.

Now is the time for the public to comment on the proposed vacation of a utility easement in the Wood Creek Subdivision.

B. Proposed 2007 Halstead Street Roadway and Infrastructure Improvement Project

Previously City Council took action to establish a public hearing on the proposed 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 gutters, storm water improvements, rebuilding of driveways and approaches, and sidewalk replacement. This project has been identified as part of the 1% local option sales tax program. The engineer's estimate for this project is \$87,246. 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 2007 Halstead Street Roadway and Infrastructure Improvement Project.

9. **PETITIONS AND COMMUNICATIONS**

- A. Request for a new Outdoor Service Area permit for Rumors, 1415 Grandview Avenue, Fluff Inc.
- B. Request for renewal of a Class A Liquor License and Sunday Sales Permit for American Legion Club, 110 Houser Street – Edward H. Bitzer Post #27
- C. Request for renewal of a Class C Beer and Sunday Sales Permit for Loos, 711 Park Avenue – Loos Inc.
- D. Request for renewal of a Class C Beer and Sunday Sales Permit for Steamboat Landing, 3509 Steamboat Way – Steamboat Landing LLC

**10. FROM THE MAYOR**

- A. Appointment of Steven Brown to the Recreation and Advisory Commission

Is there a motion to approve the appointment of Steven Brown to the Recreation and Advisory Commission?

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

**12. FROM THE CITY ADMINISTRATOR**

- A. Resolution Approving the Vacation of a Utility Easement in the Wood Creek Subdivision

Presented for City Council’s consideration is a resolution approving the vacation of a utility easement in the Wood Creek Subdivision. Previously the City Council conducted a public hearing to receive public comment on the proposed utility easement that would involve the vacation of the unused utility easement that runs along the north boundary of Lot 7. Lot 7 of this subdivision has recently been purchased along with additional land to accommodate improvements to the existing property. In order for the improvements to take place, the vacation of this unused utility easement is necessary.

Is there a motion to take action by resolution approving the vacation of a utility easement in the Wood Creek Subdivision?

- B. Resolution Approving the Plans, Specifications, Form of Contract, and Setting a Bid Opening Date for the 2007 Halstead Street Roadway and Infrastructure Improvement Project

Presented for City Council’s consideration is a resolution approving the plans, specifications, form of contract, and setting a bid opening date for the 2007 Halstead Street Roadway and Infrastructure Improvement Project. Previously a public hearing was held to receive public comment on this proposed project. The project will include the separation of sewers in the neighborhood as well as addressing storm water issues. A number of other improvements associated with the project will also take place. The engineer’s estimate for the project is

\$87,246 and is part of the 1% local option sales tax program.

Is there a motion to take action by resolution approving the plans, specifications, form of contract, cost estimate, and setting the date for the receipt of bids for Thursday, April 5, 2007, for the 2007 Halstead Street Roadway and Infrastructure Improvement Project?

C. Resolution Approving Contract and Bond for the Cedar Street Storm Sewer Replacement Project

Presented for City Council's consideration is a resolution approving the contract and bond for the Cedar Street Storm Sewer Replacement Project. On Tuesday, March 6, 2007, quotes were received for this project. This work is necessary to replace deteriorated corrugated metal pipe that provides storm sewer relief from Cedar Street to Papoose Creek. This pipe will be replaced with a new 30" diameter pipe that will accommodate more water and help to eliminate pooling of water on Cedar Street. In addition, a couple of intakes will be disconnected from the current combination sewer to reduce the possibility of basement flooding in this area. Four new large intakes will be installed as well. The lowest responsible quote received for the project was from the Muscatine Bridge Company in the amount of \$47,242.24. Under new provisions established by the Iowa Legislature in the 2006 Legislative Session, the city was able to expedite this project through the allowance of a higher threshold for receiving quotations on public improvement projects. Under these new guidelines, City Councils can now forego the formal bidding process and allow for quotations to be taken on projects such as this to expedite these types of projects.

Is there a motion to take action by resolution awarding and approving the contract and bond for the Cedar Street Storm Sewer Replacement Project between the City of Muscatine and the Muscatine Bridge Company Inc. in the amount of \$47,242.24?

D. Resolution Setting the Time and Place of a Public Hearing for the 2007 Street Improvements Project

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for the 2007 Street Improvements Project. City Council has authorized the implementation of a pavement management plan for the city that supports the management planning and programming needs of the city's transportation infrastructure. Over the next three years, it is anticipated that upwards of \$5 million will be spent in accomplishing this goal. Prior to the formal implementation of this plan for 2007, a public hearing is required.

Is there a motion to take action by resolution setting a public hearing for Thursday, April 5, 2007, at 7:00 p.m. for the 2007 Street Improvements Project?

E. Resolution Setting the Time and Place of a Public Hearing for the 2007 Curb and Gutter and Street Maintenance Program

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for the 2007 Curb and Gutter and Street Maintenance Program. As a companion piece but separate from the pavement management program, the 2007 curb and gutter and street maintenance program will be utilized in conjunction with the pavement management program to make improvements to curbs and gutters and other street maintenance activities in the City of Muscatine. Prior to any formal implementation of such a program, a public hearing is required.

Is there a motion to take action by resolution setting a public hearing for Thursday, April 5, 2007, at 7 p.m. for the 2007 Curb and Gutter and Street Maintenance Program?

F. Resolution Accepting Completed Work for the Poplar Street Sewer Separation Project

Presented for City Council's consideration is a resolution accepting the completed work for the Poplar Street Sewer Separation Project. The original cost estimate for the project was \$416,951 with the successful bid being that of Sulzberger Excavating in the amount of \$369,450.50. Quantity adjustments and one change order brought the final project cost to \$411,203.03. The primary work items were the installation of a new storm sewer and the removal of combined elements of the sanitary sewer system. Curb, gutter and sidewalks were reconstructed along the route as well as a significant length of 8<sup>th</sup> Street being paved with concrete. With the completion of the project, it is appropriate for City Council to accept the project and to release the 5% retainage fee of \$20,560.15.

Is there a motion to take action by resolution accepting the completed work performed under the 2006 Poplar Street Sewer Separation Project and authorizing final payment to Sulzberger Excavating Inc. in the amount of \$20,560.15?

G. Resolution Accepting Completed Work for the E. 5<sup>th</sup> Street Bridge Project

Presented for City Council's consideration is a resolution accepting the completed work for the E. 5<sup>th</sup> Street Bridge Project. In the fall of 2006 the E. 5<sup>th</sup> Street Bridge Project was completed and opened to vehicular traffic. All of the final work has been completed by the contractor for the project, Iowa Bridge & Culvert. The original bid for the project was \$1,159,396.89. There were 11 change orders for a total contract amount of \$1,377,878.48. To date \$1,313,511.46 has been made to Iowa Bridge & Culvert and a balance of \$64,367.02 remains to be paid.

Is there a motion to take action by resolution accepting the completed work performed under the E. 5<sup>th</sup> Street Bridge Project and authorizing final payment to Iowa Bridge & Culvert in the amount of \$64,367.02?

H. Resolution Awarding the Bid Under the CDBG Housing Rehabilitation Project for 110

Gilbert Street

Presented for City Council's consideration is a resolution awarding the bid under the CDBG Housing Rehabilitation Project for 110 Gilbert Street. Bids for the project are anticipated to be reviewed on March 13, 2007. A recommendation will be provided at Thursday's meeting.

I. Request to Declare Equipment from the Police Department as Surplus Property

Presented for City Council's consideration is a request to declare equipment at the Police Department as surplus property and authorize its sale. The Police Department is requesting that the Digital Biometrics Inc. fingerprint machine and a Dictaphone call check recorder be declared as surplus. Due to changes and upgrades at both the state level and to our MUSCOM communication system, both pieces of equipment are no longer usable. With Council's authorization, solicitations will be made to appropriate law enforcement or other public agencies that would have a use for this equipment as well as advertising the equipment for sale through a number of public venues.

Is there a motion to take action to declare equipment from the Police Department as surplus and to authorize its sale?

J. Request Authorization to Purchase Laser Measuring System for the Police Department

Presented for City Council's consideration is a request for authorization to purchase a Laser Measuring System for the Police Department. A Laser Measuring System and corresponding software will be used at collision and crime scenes. This system will cost \$11,385.96 and includes a measuring device and all associated software and hardware, two-day onsite training and shipping. This system will be purchased with monies from the Justice Assistance Program, a grant from Wal-Mart, and from the Police Department's forfeiture account. No General Fund dollars will be utilized for this purchase.

Is there a motion to take action to authorize the Police Department to purchase a Laser Measuring System from Laser Technology Inc. of Englewood, Colorado, in the amount of \$11,385.96?

K. Request Approval to Purchase Mower for Municipal Golf Course

Presented for City Council's consideration is a request to purchase a rough mower for the golf course. Included in the revised 2006/2007 budget was \$12,550 for the replacement of a rotary rough mower for the golf course. Quotations were received from three companies. After evaluating the proposals, it is recommended that the bid from Elder Implement of Muscatine in the amount of \$12,000 be approved. This is the only company that met all of the specifications.

Is there a motion to take action to authorize the purchase of a golf course rough mower from Elder Implement of Muscatine in the amount of \$12,000?

L. Request to Approve Policy and Procedures for Greenwood Cemetery

Presented for City Council's consideration is request to approve the policy and procedures for Greenwood Cemetery. At last week's in-depth meeting, a presentation was made to review proposed changes in the policies and procedures for Greenwood Cemetery. The proposed changes cover a variety of activities and procedures that are allowed at the cemetery. The city's Recreation and Advisory Commission has reviewed and approved these recommendations as well.

Is there a motion to take action to approve the updated Greenwood Cemetery rules and regulations?

M. Request to Approve Professional Services Agreement with Stanley Consultants for Isett Avenue Force Main Project

Presented for City Council's consideration is a request to approve a professional services agreement with Stanley Consultants for the Isett Avenue Force Main Project. This project will involve the lining of the existing force main from the vicinity of Orange/Oak Street to Cedar Street. This work will compliment previous work conducted on the Isett Avenue Force Main. Services from Stanley Consultants would include design services for the project in the amount of \$33,500. The city will provide onsite inspections and oversight of the project itself.

Is there a motion to take action to approve a professional services agreement with Stanley Consultants for the Isett Avenue Force Main Project?

N. Request to Approve Professional Services Agreement with Shoemaker-Haaland for E. 5<sup>th</sup> Street Bridge Landscape Design

Presented for City Council's consideration is a request to approve a professional services agreement with Shoemaker-Haaland for the E. 5<sup>th</sup> Street Bridge Landscape Design Project. There was \$10,000 set aside for this project. The city has solicited a service agreement with Shoemaker-Haaland who assisted in the design work of the bridge for the landscape activities. A quotation of \$5,300 was submitted for the project with an additional \$4,700 being set aside for actual landscape material. The total project cost will be \$10,000.

Is there a motion to take action to approve the professional services agreement with Shoemaker-Haaland for the E. 5<sup>th</sup> Street Bridge Landscape Design Project?

O. Request to Enter Into Agreement on Behalf of Muscatine Safe Streets Inc.

Presented for City Council's consideration is a request to enter into an agreement on behalf of Muscatine Safe Streets Inc. for receipt of funds from the Roy J. Carver Charitable Trust. The Muscatine Safe Streets organization has been soliciting funds for the improvements at Taylor Park. As part of this solicitation, Safe Streets received a challenge grant from the Roy J. Carver Charitable Trust. The challenge for the receipt of that grant has been met. For City Council's consideration is a request to enter into an agreement of grantee to allow for the receipt of monies to be held by the City of Muscatine on behalf of this project. The grant award is \$20,000. There will be no city funds involved in the Taylor Park project.

Is there a motion to take action to accept the grant from the Roy J. Carver Charitable Trust for the Taylor Park Improvement Project?

**13. COMMUNICATIONS - RECEIVE AND FILE**

- A. Muscatine County Board of Supervisors – February 19, 2007
- B. Zoning Board of Adjustment – January 2, 2007
- C. Board of Water, Electric, and Communications Trustees – January 30, 2007
- D. Senior Resources – January 23, 2007
- E. MP&W Operating Statements – Electric Utility – January 2007
- F. MP&W Operating Statements – Water Utility – January 2007
- G. MP&W Operating Statements – Communications Utility – January 2007

**14. APPROVAL OF BILLS**

It is recommended bills totaling \$1,301,631.90 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**