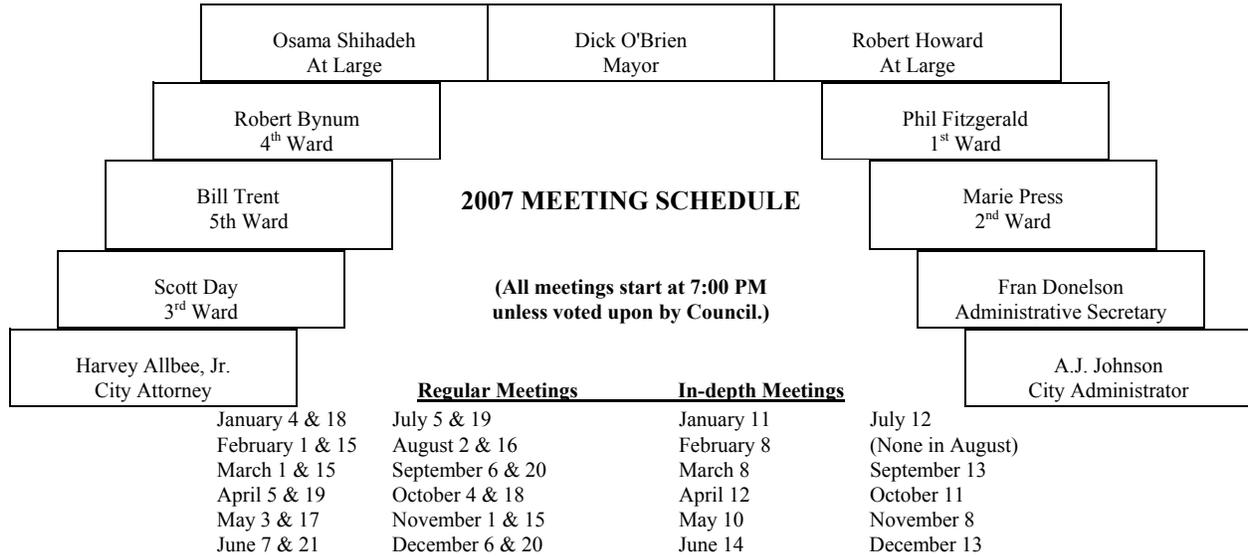


CITY COUNCIL



AGENDA

**THURSDAY, MAY 17, 2007
COUNCIL CHAMBERS - CITY HALL**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **OPENING PRAYER**
4. **PLEDGE OF ALLEGIANCE**
5. **COMMUNICATIONS – CITIZENS**
 - A. Update on Bridge Lighting Project
6. **MINUTES - APPROVAL**
 - A. City Council Meeting – May 3, 2007
 - B. In-Depth Council Meeting – May 10, 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-E
- * 13 – A-G
- * Bills*

* Approval of attached Bills for Approval totaling \$1,236,559.37 is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Amendment #2 of the 2006/2007 City Budget

Previously the City Council took action to establish a public hearing for the proposed Amendment #2 for the 2006/2007 city budget. The City Council took action to amend the current fiscal year budget in March of this year. This second amendment takes into consideration alterations in revenues and expenditures for various city operations both within the General Fund and Enterprise Fund and various capital improvements and projects. The second amendment will increase the total budget expenditures by \$464,700 and budgeted transfers will increase by \$71,200 for a total expenditure change of \$535,900. Budget revenues are proposed to be amended by \$230,300 which includes \$71,200 of funding transfers. Enterprise Fund amendments are proposed for the golf course, refuse collection, landfill, WPCP, and airport funds. Prior to any formal action by council on this matter, a public hearing is required.

Now is the time for the public to comment on the proposed Amendment #2 for the 2006/2007 city budget.

9. **PETITIONS AND COMMUNICATIONS**

- A. Request for an Outdoor Service Area for Mike’s Hilltop Tap Inc. 929 Lucas Street for Sunday, May 27, 2007 (pending inspections)
- B. Request for renewal of a Class LB Liquor License with Sunday Sales Permit for Holiday Inn of Muscatine, 2915 North Highway #61 – Jelms Hotel Co. LLC (pending receipt of dram shop insurance)
- C. Request for renewal of a Class LE Liquor License and Sunday Sales Permit for Wal-Mart Supercenter #559, 3003 North Highway 61 – Wal-Mart Stores Inc.
- D. Request for renewal of a Class BW Beer/Wine and Sunday Sales Permit for Salvatore’s

Pizzeria, 313 E. 2nd Street – Salvatore’s Pizzeria Inc.

E. Request for renewal of a Class BW Beer/Wine and Outdoor Service Area for Piazza Bella, 3901 North Highway #38 – Salvatore Vitale’s Italian Ristorante LLC (pending inspections)

F. Request from Zion Lutheran Church for Use of City Property

Presented for City Council’s consideration is a request from the Zion Lutheran Church for the use of city property. The church has requested that Sycamore Street be closed from the #5 alley to 6th Street and on 6th Street from the entrance of their property to Sycamore Street. This will accommodate a block party that is scheduled for Wednesday, June 13, 2007. The hours of closure will be from noon to 8 p.m. that day.

Is there a motion to take action to approve the request from the Zion Lutheran Church for the closure of city streets to accommodate a block party on Wednesday, June 13, 2007, from noon to 8 p.m.?

G. Request from Mulford Church to Allow Bow Hunting with the City Limits

Presented for City Council’s consideration is a request from the Mulford Evangelical Free Church for a waiver of the city’s prohibition on shooting bow and arrows within the city limits. If approved, this would coincide with a sports camp scheduled for July 16-20, 2007 from 5:30 to 8 p.m. The purpose of the request is to allow for a bow and arrow safety class to be taught. This request was made last year and no problems were experienced by the city.

Is there a motion to approve the request from the Mulford Evangelical Free Church for the suspension of the city’s prohibition on shooting of bow and arrows within the city limits for the week of July 16-20, 2007 from 5:30 to 8 p.m.?

H. Request for Use of City Property for 4th of July Activities

This information will be forwarded upon receipt.

10. FROM THE MAYOR

A. Proclamation Declaring May 25-26, 2007 as “Poppy Days”

B. Proclamation Declaring May 25-26, 2007 as “Buddy Poppy Days”

Is there a motion to approve the above proclamations?

11. FROM THE PLANNING AND ZONING COMMISSION

A. Resolution Approving the Final Plat for the Poeltler Subdivision

Presented for City Council's consideration is a resolution approving the final plat for the Poeltler Subdivision. This is a one-lot subdivision located at the intersection of Lucas Street and the Bypass in the S-3 zoning district. The subdivision is required because the property has previously been divided. The subdivision will not require the extension of any public improvements but will simply allow the current owner to sell the lot. The city's Planning & Zoning Commission reviewed the combined plat for this subdivision on May 8, 2007 and recommends its approval.

Is there a motion to take action by resolution approving the combined preliminary final plat for the Poeltler Subdivision in the City of Muscatine?

12. FROM THE CITY ADMINISTRATOR

A. Resolution to Approve Amendment #2 to the 2006/2007 City Budget

Presented for City Council's consideration is a resolution approving Amendment #2 to the 2006/2007 city budget. Previously a public hearing was held to receive public comment on the proposed amendment to the current fiscal year budget. This proposed second amendment will increase total budget expenditures for the city by \$464,700 with budgeted transfers to increase by \$71,200 for a total expenditure change of \$535,900. City budgeted revenues are proposed to be amended by \$230,300 which includes \$71,200 of funding transfers in. Enterprise Fund amendments are proposed for the golf course, refuse collection, landfill, WPCP, and airport funds. In addition, capital projects are proposed to be amended by \$36,200 for railroad crossing maintenance costs paid to the railroad.

Is there a motion to take action by resolution approving Amendment #2 to the 2006/2007 city budget?

B. First Reading of an Ordinance Amending Title 7, Police Regulations, Chapters 21 and 22

Presented for City Council's consideration is the first reading of an ordinance amending Title 7, Police Regulations, Chapters 21 and 22. During the 2007/2008 budget review sessions, it was proposed to increase the fine rates for parking violations included in the Police Regulations section of the City Code. These violations include but are not limited to parking in prohibited zones, parking over 24 hours, parking on the wrong side of the street, and junk or obsolete vehicles. These tickets are generally issued by the Police Department with revenues credited to the General Fund. It is proposed that the rate for junk or obsolete vehicles parked on the street be raised from \$10 to \$20 and that other violation fines be raised \$5 to \$10.

Is there a motion to take action on the first reading of an ordinance amending Title 7, Police

Regulations, Chapters 21 and 22?

C. Resolution Setting Time and Place of a Public Hearing on the WPCP Planning and Design Loan for the State Revolving Fund

Presented for City Council's consideration is a resolution setting a public hearing for a sewer revenue loan and disbursement agreement. The City Council previously authorized the submission of an application for a state revolving loan fund up to \$900,000 for planning and design costs related to the planned improvements at the WPCP. Before entering into a loan agreement, a public hearing is required.

Is there a motion to take action by resolution establishing a public hearing for the state revolving loan fund application of up to \$900,000 for planning and design costs related to planned improvements at the WPCP for Thursday, June 7, 2007, at 7 p.m.?

D. Resolution Approving the 2007/2008 Pay Plan for Non-Union City Employees

Presented for City Council's consideration is a resolution approving the 2007/2008 pay plan for non-union city employees. Included in the next fiscal year's budget are funds to increase the wage scale for non-union city employees by 3.5%. In addition, the pay plan also reflects the pay classification adjustments for a number of city employees as well as title change authorization.

Is there a motion to take action by resolution approving the 2007/2008 pay plan for non-union city employees?

E. Resolution Approving the Writing Off of Debts of Former Public Housing Tenants

Presented for City Council's consideration is a resolution approving the writing off of debts of former public housing tenants. Each year the City Council takes action to write off uncollectible debts of certain former public housing tenants. Every effort is made to collect rental payments and other monies owed to the city's municipal housing agency. As a matter of good accounting, the City of Muscatine is directed to write off debts that are doubtful for collection. Even though the city will be taking this action, the names and amounts will be kept in our system and must be paid back before any further assistance can be made available to these particular individuals.

Is there a motion to take action by resolution to write off debts of certain former public housing tenants?

F. Resolution Setting Time and Place of a Public Hearing for the Isett Avenue Force Main Improvement Project – Phase II

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for the Isett Avenue Force Main Improvement Project – Phase II. The Isett Avenue Force Main extends from the Isett Avenue pump station to Cedar Street. During Phase I, a section of the force main from the pump station to Oak Street was lined. Phase II will include the lining of the main from Oak Street to Cedar Street. Plans, specifications, and cost estimates will be available in advance of the June 7, 2007 City Council meeting. Prior to any formal action by council, a public hearing is required.

Is there a motion to take action by resolution setting the time and place for a public hearing on the Isett Avenue Force Main Improvement Project – Phase II for Thursday, June 7, 2007, at 7 p.m.?

G. Resolution Approving the Contract and Bond for the 2007 Street Improvement Project

Presented for City Council's consideration is a resolution approving the contract and bond for the 2007 Street Improvement Project. Previously the City Council had taken action to approve the contract between the City of Muscatine and Illowa Investments Inc. in the amount of \$1,256,186.85 for the 2007 Street Improvement Project. The contract and bond have been reviewed and approved by city staff.

Is there a motion to take action by resolution approving the contract and bond from Illowa Investments Inc. in the amount of \$1,256,186.85 for the 2007 Street Improvement Project?

H. Resolution Approving the Contract and Bond for the 2007 Curb and Gutter and Street Maintenance Program

Presented for City Council's consideration is a resolution approving the contract and bond for the 2007 Curb and Gutter and Street Maintenance Program. Previously City Council took action to award the contract for this project to All American Concrete of West Liberty in the amount of \$278,917. The contract and bond have been submitted for city staff's review and approval.

Is there a motion to take action by resolution approving the contract and bond from All American Concrete in the amount of \$278,917 for the 2007 Curb and Gutter and Street Maintenance Program?

I. Resolution Setting Time and Place of a Public Hearing Concerning a Proposed Lease Agreement with the Iowa National Guard for Airport Property

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for a proposed lease agreement with the Iowa National Guard for airport property. The City of Muscatine has been in discussion with the Iowa National Guard for the

use of 19 acres of property located at the municipal airport for the construction of a new National Guard Armory in the community. The Iowa National Guard will be presenting to the city a lease option for the property that would allow them to lease the property for 75 years. In accordance with state code, any lease arrangement the city enters into exceeding three years requires a public hearing.

Is there a motion to take action by resolution setting the time and place of a public hearing concerning a proposed lease agreement with the Iowa National Guard for airport property for Thursday, June 7, 2007, at 7 p.m.?

J. Resolution Approving the Final Plat of the Riverbend Fifth Addition

Previously the City Council took action to table this matter to this meeting for further discussion concerning the proposed approval of the final plat of the Riverbend Fifth Addition. The matter was originally tabled to the meeting of May 3, 2007 but was extended until this meeting at the request of the developer. Since the matter has been tabled to this date, it will now be open for continued discussion.

K. Resolution Establishing Rates for Leased Parking in City Lots

Presented for City Council's consideration is a resolution establishing rates for leased parking in city lots. At last week's in-depth meeting an interim report concerning the progress to date of the Parking Meter Taskforce was presented to City Council. Initial recommendations proposed for approval at this time are primarily related to leased parking and leased parking rates. The current annual leases expire June 30, 2007 and the Taskforce is recommending the leased parking rate change be approved at this time so that the new rates can be effective July 1, 2007. The resolution presented for consideration will increase the leased parking rate to \$300 per year if paid annually and \$350 per year if paid quarterly. The current rate for downtown residents is proposed to remain at \$175 annually.

Is there a motion to take action by resolution establishing rates for leased parking in city lots?

L. Request to Implement Parking Configuration Changes in Lot 4

Presented for City Council's consideration is a request to change the parking configuration in Lot 4. As a companion piece to the proposed increase in leased parking and as part of the interim recommendations from the Parking Meter Taskforce, it is being proposed to move the nine current 10-hour meter spaces in the row nearest 2nd Street to the center section of that same row. This will divide the current two-hour free spaces so that approximately half are closer to Sycamore Street with the other half closer to Cedar Street.

Is there a motion to approve the requested change and implementation of the parking configuration in Lot 4?

M. Request Approval of an Agreement with CTRE for the 2007 Pavement Management Services

Presented for City Council's consideration is a request to approve an agreement with CTRE for the 2007 Pavement Management Services. The city will begin implementation of its pavement management program with the construction season beginning in 2007. The proposed contract for services will provide additional services to the city in connection with its roadway maintenance program for the next several years. The cost of this service is \$9,900.

Is there a motion to take action to approve a contract for services with the Center for Transportation Research and Education (CTRE) to assist the city in the development and upgrade of the local pavement management plan in the amount of \$9,900?

N. Request Authorization to Issue Purchase Order for the Fuel System Software Upgrade

Presented for City Council's consideration is a request for the issuance of a purchase order for the fuel system software upgrade. Prices were solicited from two companies with the lowest price being that of Pipeco Inc. in the amount of \$6,053.95. The city will be utilizing transit peerpool money (80%) and a local match of 20%. There was \$5,700 originally budgeted for this project. The additional funding needed for the project will be covered from the MuscaBus budget.

Is there a motion to take action to authorize the issuance of a purchase order to Pipeco Inc. for the purchase of a fuel system software upgrade?

O. Request Approval of Changes to Administrative Policy

Presented for City Council's consideration is a request to approve changes to the Administrative Policy. At least week's in-depth meeting, changes in the Administrative Policy were presented for council's review and consideration. Those changes include the addition of the computer use policy and the modification of our critical employee listing. Once approved by council, the changes will be incorporated into the city's Administrative Policy that is distributed to all employees.

Is there a motion to take action to approve the changes to the city's Administrative Policy?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – April 23 & 30, 2007
- B. Planning & Zoning Commission – April 10, 2007
- C. NFPA Fire Survey – February and March 2007
- D. MP&W Communications Utility – March 2007
- E. MP&W Water Utility – March 2007
- F. MP&W Electric Utility – March 2007
- G. MP&W Y-T-D Operating Results – March 31, 2007

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,236,559.37 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