

CITY COUNCIL



2007 MEETING SCHEDULE

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

	<u>Regular Meetings</u>	<u>In-depth Meetings</u>	
January 4 & 18	July 5 & 19	January 11	July 12
February 1 & 15	August 2 & 16	February 8	(None in August)
March 1 & 15	September 6 & 20	March 8	September 13
April 5 & 19	October 4 & 18	April 12	October 11
May 3 & 17	November 1 & 15	May 10	November 8
June 7 & 21	December 6 & 20	June 14	December 13

AGENDA

THURSDAY, JULY 5, 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. City Council Meeting – June 21, 2007
- B. Special Budget Session – June 28, 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-I
- * 13 – A-H
- * Bills*

* Approval of attached Bills for Approval totaling \$1,026,915.00, as well as May 2007 receipt summaries, is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

9. **PETITIONS AND COMMUNICATIONS**

- A. Request for a new five-day Beer Permit for Muscatine Quarterback Club at Riverside Park for Great River Days from July 25-28, 2007
- B. Request for renewal of a Class C Liquor License and Sunday Sales Permit for Applebee's Neighborhood Grill & Bar, 306 Cleveland Street – Apple Corps LP
- C. Request for renewal of a Class C Liquor License and Sunday Sales Permit for The Fiesta, 1919 Grandview Avenue – The Fiesta Inc. (pending receipt of dram shop insurance and final paperwork)
- D. Request for renewal of a Class BW Beer/Wine Permit with Sunday Sales for Peking Restaurant, 1700 Park Avenue – Peking Chinese Restaurant Inc.
- E. Request for renewal of a Class WBN Native Wine Permit with Sunday Sales for The Flower Gallery, 131 E. 2nd Street – Karen Diercks
- F. Request for renewal of a Class B Beer and Sunday Sales Permit for Pete's Tap, 1820 Angle Street – Coletta Logel
- G. Request for renewal of a Class C Beer and Sunday Sales Permit for Babes Sinclair, 2307 Lucas Street – Rodney Yocom
- H. Request for renewal of a Class C Beer and Sunday Sales Permit for Express Mart, 4804 Grandview Avenue – E Mart Inc.
- I. Request to approve Cigarette Permits for July 2007 through June 30, 2008
- J. Presentation by the Muscatine Rotary Club

At this time Dale Lucht, President of the Muscatine Rotary Club, will make a presentation to the City Council.

K. Presentation from the Community Improvement Action Team (CIAT)

At this time representatives from CIAT will make a presentation to City Council.

10. FROM THE MAYOR

A. Request Approval of Proclamation Declaring July 26-28, 2007 as “Knights of Columbus Days for the Mentally Challenged”

Is there a motion to approve the above proclamation?

B. Request to Approve the Appointment of Jan Henderson to the Art Center Board of Trustees

Is there a motion to approve this appointment?

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

A. Second Reading of an Ordinance Amending Title 7, Chapter 15, Parking Meters and Lots

Presented for City Council’s consideration is the second reading of an ordinance amending Title 7, Chapter 15, Parking Meters and Lots. Previously City Council took action on the first reading of the ordinance implementing the recommendations from the Mayor’s Parking Taskforce. The items requiring ordinance amendments include 1) changing the parking zones established in the ordinance, 2) increasing the fine rate for expired meters from \$3 if paid within 72 hours to \$5 and increasing the fine rate if paid after 72 hours from \$5 to \$10, 3) the fine rate for parking over the time limit will remain at \$5 if paid within 72 hours but will increase to \$10 if paid after 72 hours, 4) eliminating the free holiday parking between Thanksgiving and Christmas, 5) changing the meter enforcement period from 9 a.m. to 5 p.m. to 8 a.m. to 5 p.m., 6) increasing the ticket rate from \$25 per ticket after the 20th ticket in a calendar year. One additional change to the ordinance is proposed for the composition of the Parking Appeals Board. Currently the ordinance specifies that the Board be made up of a member of the Police Department, Community Development Department, and a citizen at large. It is proposed that a representative of the Finance Department be designated in lieu of the CD representative due to staff reductions in recent years in this department.

Is there a motion to take action on the second reading of an ordinance amending Title 7, Chapter 15, Parking Meters and Lots?

B. Resolution Approving the Changing of Parking Meter and Hood Rates and the Removal of Meters and Limiting Free Parking on 2nd Street

Presented for City Council's consideration is a resolution approving the changing of parking meter and hood rates and the removal of meters and limiting free parking on 2nd Street. As part of the recommendations forwarded for City Council's consideration from the Mayor's Parking Taskforce, removing parking meters and establishing rates for parking meters and parking meter hoods was included in those recommendations. For Council's consideration at this time is a recommendation that City Council take action to remove the parking meters from on-street parking spaces on 2nd Street from Mulberry Avenue to Pine Street and limit the time for free parking in the parking stalls on 2nd Street to no more than three consecutive hours between 8 a.m. and 5 p.m. In addition, the rate for ten hour parking meters will be increased to \$.20 per hour and the rate for a two hour parking meter will be set at \$.30 per hour. The rate for parking meter hoods will be raised to \$3 per day.

Is there a motion to take action by resolution changing parking meter and hood rates and removing meters and limiting free parking on 2nd Street?

C. Request to Approve the Issuance of Purchase Order for Electronic Parking Meters

An additional item for Council's consideration is Parking Taskforce recommendation #18 which includes the purchase of 120 new electronic parking meters. Quotes were solicited for the meters with two quotes received. The low quote was from POM Inc. in the amount of \$115 per meter with the other quote from Duncan Parking Technology at \$159.95 per meter. With the purchase of this quantity of electronic meters, there will be sufficient parts on hand to convert the remaining mechanical meters to the proposed new rates. City staff is requesting Council authorize the issuance of a purchase order to POM Inc. in the amount of \$13,800 for the purchase of 120 electronic meters.

Is there a motion to take action to authorize the issuance of a purchase order to POM Inc. in the amount of \$13,800 for 120 electronic meters?

D. Request to Approve Other Recommendations from the Parking Taskforce

Presented for City Council's consideration is a request to approve other recommendations from the Parking Taskforce. These would include the following:

1. Replace eight two-hour meters to ten hour meters on 4th Street (north of the courthouse).
2. Mulberry Avenue (3rd to 4th streets) – change two hour meters to ten hour meters.
3. Mulberry Avenue (4th Street to #5 alley) – eliminate meters
4. 4th Street (Sycamore Street to Iowa Avenue) – change ten hour meters to two hour meters.
5. 3rd Street – change seven two-hour meters next to Lot 8 to ten hour meters.
6. Lot #4 – free four hour change to free three hours.
7. Lot #8 – free four hour change to free three hours.
8. Install one two hour meter at Pine Street near Smith Sales & Service.
9. Add additional directional parking signs.

10. New signage for parking lots.
11. Adopt a meter concept with proceeds at a \$300 rate.

Is there a motion to take action to approve the other recommendations as presented from the Parking Taskforce?

E. Resolution Awarding the Contract for the Isett Avenue Force Main Improvement Project – Phase II

Presented for City Council’s consideration is a resolution awarding the contract for the Isett Avenue Force Main Improvement Project – Phase II. The city recently received bids for the project with the low apparent bidder being Sulzberger Excavating in the amount of \$727,113.55. The engineer’s estimate for the project was \$705,300. This project includes relining of approximately 830’ of ductile iron pipe and removal of approximately 308’ of ductile iron pipe to be replaced with 364’ of new high density polyethylene pipe. The work also includes the removal of approximately 700’ of gravity sewer. Surface restoration of pavement and lawns is also part of the project.

Is there a motion to take action by resolution awarding the contract to Sulzberger Excavating in the amount of \$727,113.55 for the Isett Avenue Force Main Improvement Project – Phase II?

F. Resolution Accepting Completed Work Performed Under AIP-3-19-0063-12 Fence/Access Road Relocation at the Municipal Airport

Presented for City Council’s consideration is a resolution accepting completed work performed under the AIP-3-19-0063-12 Fence/Access Road Relocation at the municipal airport. All of the work associated with this project has now been completed and recommended for acceptance by the city’s engineering consultant. The project included the relocation of a farm access road outside of the perimeter fence as well as the relocation of fencing to the new property lines following the acquisition of property associated with the BRL program. The project allows for 95% federal funding and requires a 5% local share for project completion. The original project cost was \$109,947.05 with one change order bringing the total construction cost to \$115,957.67. In addition, the City Council authorized an expenditure of \$7,000 to upgrade a portion of the fence not eligible under the FAA grant agreement. The total eligible construction cost is \$108,957.67. The retainage of \$11,595.77 is now due and payable to Vieth Construction Corporation.

Is there a motion to take action by resolution accepting the completed work performed under the AIP-3-19-0063-12 Fence/Access Road Relocation at the municipal airport and authorizing final payment to Vieth Construction Corporation?

G. Resolution Setting Public Hearing to Amend the City Code Pertaining to Existing Cemeteries in the City of Muscatine

Presented for City Council’s consideration is a resolution setting a public hearing to amend

the City Code pertaining to existing cemeteries in the City of Muscatine. Earlier this year a request was filed with the city to amend the City Code for existing cemeteries on behalf of Memorial Park Cemetery in Muscatine. The proposed amendment would allow crematories as permitted uses within that existing cemetery. Prior to consideration of an ordinance amendment to the City Code that would permit a crematory within Memorial Park Cemetery, it is recommended that City Council conduct a public hearing.

Is there a motion to take action by resolution setting a public hearing to amend the City Code pertaining to existing cemeteries in the City of Muscatine for Thursday, July 19, 2007, at 7:00 p.m.?

H. Request Approving an Agreement with Fox Engineering for the Phase 2 Design at the Landfill

Presented for City Council's consideration is a request to approve an agreement with Fox Engineering for the Phase 2 design at the landfill. As part of the city's ongoing expansion of the Muscatine County Sanitary Landfill, it is proposed that a professional agreement be entered into with Fox Engineering for the design of the Phase 2 horizontal expansion. The proposed cost for the services will be in an amount not to exceed \$80,000. There are opportunities within the contract itself to selectively remove services that are priced within that \$80,000. The city will take the opportunity to review project management and construction administration to see if there is a more cost effective way of providing this service. It is anticipated that design work will be completed by December 2007.

Is there a motion to approve the agreement with Fox Engineering for the Phase 2 design at the landfill?

I. Request Approval of Pre-Construction Agreement with the Iowa Department of Transportation for the U.S. 61/Hershey Avenue Project

Presented for City Council's consideration is a request to approve a pre-construction agreement with the Iowa Department of Transportation for the U.S. 61/Hershey Avenue Project. Both the city and county have received a pre-construction agreement from the IDOT for the U.S. 61/Hershey Avenue Project. The city's cost for the project is \$112,367. This consists of \$55,973 for trail improvements, \$54,394 for intake/storm sewer pipes, and \$2,000 for lighting. This work is being done in conjunction with the overall improvements to that intersection that are slated for construction in the calendar year 2008.

Is there a motion to approve the pre-construction agreement with the IDOT for the U.S. 61/Hershey Avenue Project?

J. Request Authorization to Issue a Purchase Order for the 2007 Street Striping Program

Presented for City Council's consideration is a request for authorization to issue a purchase order for the 2007 street striping program. Proposals were solicited from two companies with the lowest responsible proposal being that from Dennis Parking Lot Maintenance Inc. of Des

Moines in the amount of \$46,612.27. There was \$50,000 budgeted for this activity.

Is there a motion to take action to approve the proposal from Dennis Parking Lot Maintenance Inc. in the amount of \$46,612.27 for the 2007 street striping program?

K. Request Authorization to Issue Purchase Order for Tree Removal at Greenwood Cemetery

Presented for City Council's consideration is a request to approve the issuance of a purchase order for the removal of storm damaged trees at Greenwood Cemetery. Five bid requests were sent out with three returned for consideration. The apparent low bidder for this project is Freers & Son Tree Service in the amount of \$29,500. If approved, this work will coincide with the previous cleanup efforts that followed the tornado of June 1st.

Is there a motion to take action to approve the issuance of a purchase order to Freers & Son Tree Service in the amount of \$29,500 for the removal of trees at Greenwood Cemetery?

L. Request Authorization to Issue Purchase Order for Fence Removal at Kent Stein Park

Presented for City Council's consideration is a request to approve the issuance of a purchase order for the removal of storm damaged fence at Kent Stein Park. Bids were solicited from qualified vendors. Two bids were submitted with the apparent low bid being that of C&R Landscaping in the amount of \$9,465.75. The storm damaged items need to be removed for safety reasons and to allow for rebuilding efforts. This expense will be covered by the city's insurance.

Is there a motion to take action to approve the issuance of a purchase order to C&R Landscaping in the amount of \$9,465.75 for the removal of storm damaged fence at Kent Stein Park?

M. Request Authorization to Purchase Vehicle for Police Department

Presented for City Council's consideration is a request to authorize the purchase of a vehicle for the Police Department. Included in the fiscal year 2007/2008 budget is the purchase of a replacement supervisor's squad. A pre-bid meeting was held and bids solicited. Bids were received from Krieger Motors of Muscatine and Lujack's Northpark Auto Plaza of Davenport. The low bid for the vehicle was from Lujack's in the amount of \$32,074.47. The bid from Krieger Motors was in the amount of \$32,696. Under the purchasing guidelines and local preference for local vendors, the bid from Krieger Motors is within the 2% of the low bid provided by Lujack's. There was \$31,000 budgeted for this purchase. After reviewing the bids submitted and taking into consideration the City Council's purchasing policy, it is staff's recommendation to purchase the vehicle from Krieger Motors in the amount of \$32,696.

Is there a motion to take action to authorize the purchase of a police vehicle from Krieger Motors in the amount of \$32,696?

N. Request Approval to Begin Bidding Process for SCBA Upgrades for the Fire Department

Presented for City Council's consideration is a request for approval to begin the bidding process for SCBA upgrades for the Fire Department. Recently the Muscatine Fire Department received grant funding for the new breathing air compressor and upgrades to our self-contained breathing apparatus. Specifications have been prepared for the SCBA upgrade and solicitations will begin following City Council's approval. The amount of the grant for the SCBA upgrades was \$79,200 of which there is a 10% match by the city.

Is there a motion to approve the bidding process for the SCBA upgrades for the Fire Department?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – June 11, 2007
- B. Senior Resources – May 29, 2007
- C. Board of Water, Electric, and Communications Trustees – May 29, 2007
- D. Fire Department NFPA – April 2007
- E. MP&W Operating Statements – Electric Utility – May 2007
- F. MP&W Operating Statements – Water Utility – May 2007
- G. MP&W Operating Statements – Communications Utility – May 2007
- H. City of Muscatine Financial Reports – May 2007

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,026,915.00, as well as May 2007 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**

17. **ADJOURNMENT**