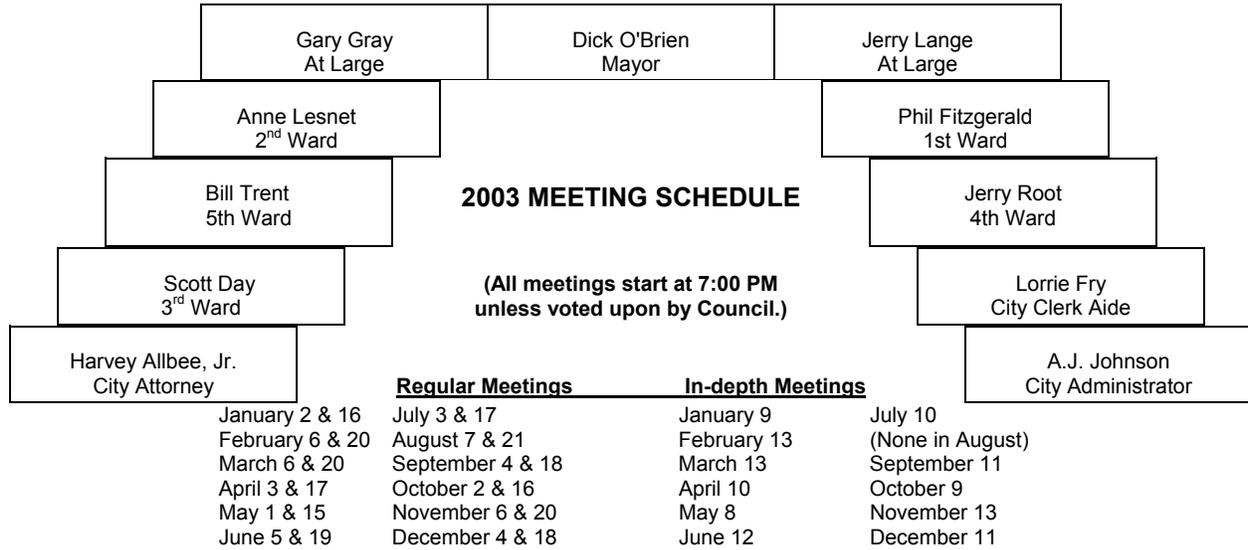


MUSCATINE CITY COUNCIL



AGENDA

**THURSDAY, DECEMBER 4, 2003, 7:00 P.M.
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 – November 20, 2003
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-C
- * 13 – A-H
- * Bills*

*Approval of attached Bills for Approval totaling \$1,607,384.54 is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

9. PETITIONS AND COMMUNICATIONS

- A. Request for renewal of a Class A Liquor License and Sunday Sales Permit for BPO Elks Lodge #304, 2003 Grandview Avenue – BPO Elks Lodge #304 (pending inspections)
- B. Request for renewal of a Class B Liquor License and Sunday Sales Permit for Econolodge of Muscatine, 2402 Park Avenue – CCLL Investment Co. (pending inspections)
- C. Request for renewal of a Class C Liquor License and Sunday Sales Permit for Bull Pen Sports Bar, 1201 Grandview Avenue – Bull Pen Sports Inc. (pending receipt of dram shop insurance)

10. FROM THE MAYOR

- A. Resolution of Appreciation

At this time City Council could take action to approve the resolution of appreciation for the Muscatine High School varsity football team for the 2003 season.

- B. Reappointment of Anne Lesnet to the MAGIC Board

At this time City Council could take action to approve the reappointment of Anne Lesnet to the MAGIC Board

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

- A. Resolution Setting the Time and Place of a Public Hearing for a Utility Easement at Cobblestone Place – Part I

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for a utility easement at Cobblestone Place – Part I. The owners of real estate north of Colorado Street plotted a four-lot subdivision known as Cobblestone Place – Part I in 1996. The developer intends to replat

this area for single-family homes. The flexibility associated with this type of development warrants the vacation of existing but underdeveloped street right-of-way and perimeter utility easements.

At this time City Council could take action by resolution setting the time and place of a public hearing upon the vacation of street right-of-way and utility easements in Cobblestone Place – Part I for Thursday, December 18, 2003, at 7:00 p.m.

B. Resolution Approving the Contract and Bond for the Muscatine Art Center Exterior Restoration Project

Presented for City Council's consideration is a resolution approving the contract and bond for the Muscatine Art Center Exterior Restoration Project. Previously the City Council awarded the contract for the project to E&H Restoration, LLC, in the amount of \$71,864. The appropriate contract and bond have been submitted for staff's review and approval and are submitted for City Council's action at this time.

At this time City Council could take action by resolution approving the contract and bond for the Muscatine Art Center Exterior Restoration Project between the City of Muscatine and E&H Restoration, LLC.

C. Resolution Setting Time and Place of Public Hearing on Concession Agreements

Presented for City Council's consideration is a resolution setting the time and place of a public hearing on concession agreements. In advance of the 2004 recreation-based activities concession season, city staff has solicited and received proposals for these activities for the City of Muscatine. A proposed agreement with a vendor will be for a five-year time period and thereby requires a public hearing to be held prior to the award of any such contract. The city considered three proposals that were submitted with the tentative intention to enter into a concession agreement with Big 10 Concessions for a five-year period. A public hearing is required for any concession agreement in excess of three years.

At this time City Council could take action by resolution setting the time and place of a public hearing concerning a proposed concession agreement between the city and Big 10 Concessions for Thursday, December 18, 2003, at 7:00 p.m.

D. Resolution Accepting Public Street Improvements Installed for Riverbend First and Second Additions in the City of Muscatine

Presented for City Council's consideration is a resolution accepting public street improvements installed for Riverbend First and Second Additions in the City of Muscatine. Public street improvements in the Riverbend First and Second Additions have been installed according to the approved plans and specifications. The city's engineering department has found the improvements to be compliant

with city standards.

At this time City Council could take action by resolution accepting public street improvements installed for Riverbend First and Second Additions in the City of Muscatine.

E. Resolution Accepting Public Street Improvements Installed for Oakview Plaza Subdivision in the City of Muscatine

Presented for City Council's consideration is a resolution accepting public street improvements installed for Oakview Plaza Subdivision in the City of Muscatine. City Council approved the Oakview Plaza Subdivision on January 17, 2002, and Oakview Drive provided a new street access to the adjacent lots. This development is located east of Wal-Mart on the north side of Highway 61. Public street improvements in the Oakview Plaza Subdivision have been installed according to approved plans and specifications and approved by the city's engineering department.

At this time City Council could take action by resolution for the acceptance of public street improvements installed for the Oakview Plaza Subdivision in the City of Muscatine.

F. Resolution Releasing Real Estate Mortgage Under the Public Housing Home Ownership Program

Presented for City Council's consideration is a resolution releasing a real estate mortgage under the Public Housing Home Ownership Program. The city has received a request from Michael G. and Lela A. Hendrickson of 2309 Isett Avenue for the release of a real estate mortgage. The original program was a seven-year 0% forgivable loan in the amount of \$17,000. As of July 26, 2003, the loan period has expired. It is now appropriate for the Council to release the mortgage.

At this time City Council could take action by resolution releasing the real estate mortgage under the Public Housing Ownership Program for Michael G. and Lela A. Hendrickson of 2309 Isett Avenue.

G. Request to Approve the Waiver of the Union Negotiations Deadline

Presented for City Council's consideration is a request to approve the waiver of the union negotiations deadline. When the city engages in labor negotiation activities, it is not uncommon for a request to be made to waive the March 15th deadline for such negotiations. Regulatory provisions of the State Employment Relations Board requires that both parties in a labor negotiation process waive the March 15th deadline or be subject to a more restrictive and time conscious process for finalizing a labor contract. Typically the City of Muscatine, with all three of its unions, has entered into agreements to waive the March 15th deadline

in order to successfully negotiate a settlement between the city and the respective labor unions. The city has received a request from the Muscatine City Police and the Muscatine City Blue/White unions, both represented by Teamsters Local #238, for such a waiver. Staff would agree with this recommendation.

At this time City Council could take action to approve the waiver of the union negotiations deadline.

H. Request Approval of Sewer and Easement Agreement and Dedication

Presented for City Council's consideration is a request to approve a sewer and easement agreement and dedication. The city has finalized an arrangement for a sanitary sewer easement for the sewer serving the Wal-Mart property and other properties to the east of Wal-Mart. As submitted by the city attorney, this document has been through a number of drafts through the respective parties and has been finalized for Council action at this time.

At this time City Council could take action to approve the sewer an easement agreement and dedication between BCF&M Partnership, Wal-Mart and the City of Muscatine.

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – November 10 & 17, 2003
- B. Library Board of Trustees
- C. Board of Water, Electric, and Communications Trustees – October 30, 2003
- D. Abstract of Votes for November 4, 2003 Election
- E. Zoning Board of Adjustment – November 4, 2003
- F. MP&W Operating Statements – Communications Utility - October 2003
- G. MP&W Operating Statements – Water Utility – October 2003
- H. MP&W Operating Statements – Electric Utility – October 2003

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,607,384.54, as well as receipt summaries for the month of October 2003, 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 to go into Closed Session to discuss labor negotiation strategies

17. ADJOURNMENT