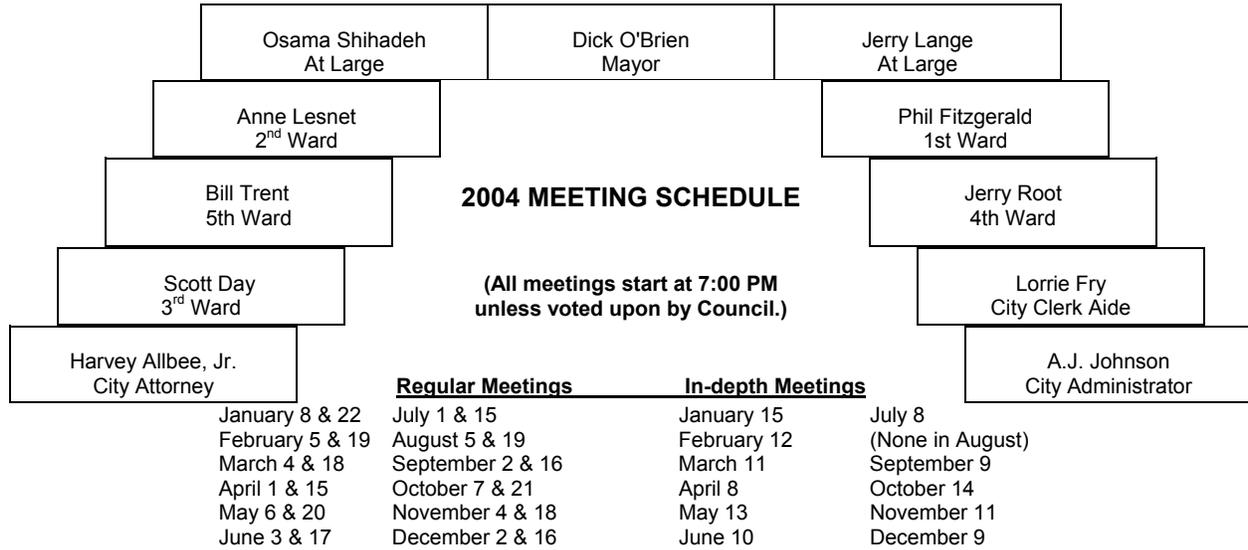


MUSCATINE CITY COUNCIL



AGENDA

**THURSDAY, JULY 1, 2004, 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**

A. Presentation of Army National Guard Team Medal to the City of Muscatine

At this time the City of Muscatine will be presented with the Army National Guard Team Medal by a representative of the 2133rd Infantry Division.

6. **MINUTES - APPROVAL**

A. Regular City Council Meeting – June 17, 2004

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 \$1,105,970.32, as well as receipt summaries for March, April and May 2004, is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

A. Proposed Fuller Park Trail Project

Previously a public hearing was established to receive public comment on the proposed Fuller Park Trail Project. It is proposed to develop a Fuller Park Trail system that would link Muscatine Power & Water, Muscatine High School, the City of Muscatine and the Muscatine County Discovery Park activities together. The estimated cost of this project is not to exceed \$100,000. Work would also be done in connection with this project to enhance and to improve the Fuller Park storm drainage system that accounts for \$50,000 of the \$100,000 cost estimate. Funding for this portion of the project will be provided through the 1% sales tax program. Funding for the remaining \$50,000 necessary for the project has yet to be identified but grant applications have been submitted for consideration at this time. Prior to any formal action by the City Council on this matter, a public hearing is required.

Now is the time for the public to comment on the proposed Fuller Park Trail Project.

9. PETITIONS AND COMMUNICATIONS

- A. Request to change a Class B Beer to a Class BW (Beer/Wine) Permit with Sunday Sales Permit for China Buffet, 1903 Park Avenue – China Buffet of Muscatine Inc. (pending receipt of dram shop certificate)
- B. Request for renewal of a Class BW Beer/Wine Permit with Sunday Sales Permit for Peking Restaurant, 1700 Park Avenue – Peking Chinese Restaurant Inc.
- C. Request for renewal of a Class A Liquor License and Sunday Sales Permit with Outdoor Services for Geneva Golf & Country Club, 3100 Bidwell Road – Geneva

Golf & Country Club

- D. Request for renewal of a Class C Liquor License and Sunday Sales Permit for Applebee's Neighborhood Grill & Bar, 306 Cleveland Street – Apple Corps L.P.
- E. Request for renewal of a Class B Beer and Sunday Sales Permit for Happy Joe's Pizza & Ice Cream Parlor, 203 Lake Park Boulevard – Max Brewer Corporation
- F. Request for renewal of a Class B Beer and Sunday Sales Permit for Happy Joe's Pizza & Ice Cream Parlor South – 927 Grandview Avenue – Max Brewer Corporation
- G. Request for renewal of a Class B Beer and Sunday Sales Permit for Pete's Tap, 1820 Angle Street – Curtis & Colletta Logel (pending receipt of dram shop certificate)
- H. Request for renewal of a Class C Beer and Sunday Sales Permit for Babe's Sinclair, 2307 Lucas Street – Rodney L. Yocom
- I. Request for renewal of a Class C Beer and Sunday Sales Permit for Express Mart, 4804 Grandview Avenue – E-Mart Inc.
- J. Request for Outdoor Service Area for Bootleggers, 214 Iowa Avenue, on July 17, 2004
- K. Request for six cigarette permits effective July 1, 2004 through June 30, 2004
- L. Request from the Library for Closure of a Portion of Iowa Avenue

Presented for City Council's consideration is a request from the Musser Public Library to close that portion of Iowa Avenue in front of the library between 3rd and 4th streets for a "Hispanic Festival" to be held on September 16, 2004. The celebration will take place from 3 p.m. to 9 p.m.

At this time City Council could take action to grant the request from the Musser Public Library to close Iowa Avenue between 3rd and 4th streets on September 16, 2004 from 3 p.m. to 9 p.m. for the "Hispanic Festival".

- M. Request from Bootleggers for the Closure of a Portion of Iowa Avenue for Street Dance

Presented for City Council's consideration is a request from Bootleggers to conduct a street dance on Saturday, July 17, 2004, from noon to 2 a.m. The request is to close Iowa Avenue from 3rd Street to an area just beyond the #2 alley. Outdoor entertainment is planned with two bands.

At this time City Council could take action to approve the request from Bootleggers to close a portion of Iowa Avenue to accommodate a street dance on Saturday, July 17, 2004, from noon to 2 a.m.

10. FROM THE MAYOR

A. Appointments to Various Boards and Commissions

At this time City Council could take action to approve appointments to the city's various Boards and Commissions.

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

A. Second Reading of an Ordinance Rezoning the Pine Ridge Acres Addition

Presented for City Council's consideration is the second reading of an ordinance rezoning the Pine Ridge Acres Addition. Previously the City Council took action to authorize the voluntary annexation of 9.8 acres of property into the City of Muscatine known as the Pine Ridge Acres Addition. The developer wishes to develop the property into single family residential lots which is consistent with the city's comprehensive plan and with the current development scheme in the area. The rezoning action would take the property from a county residential (R-2) district to a city large scale residential (R-L) district.

At this time City Council could take action on the second reading of an ordinance amending the zoning ordinance for the City of Muscatine.

B. Resolution Accepting the Low Bid for the Muscatine Owner-Occupied Housing Rehabilitation Program

Presented for City Council's consideration is a resolution accepting the low bid for the Muscatine Owner-Occupied Housing Rehabilitation Program. The city has solicited bids for a CDBG housing rehabilitation project at 615 E. 8th Street. Two bids were received for the project with the low apparent bid being that of Carver Construction of Muscatine in the amount of \$27,309.60. The bids were reviewed by the Muscatine Rehabilitation Committee on June 23, 2004 and it is their recommendation that the low bid be approved. This property represents the fifth project for the 2003 housing rehabilitation program. Eleven projects are anticipated under this current program.

At this time City Council could take action by resolution accepting the low bid from Carver Construction in the amount of \$27,309.60 for the CDBG housing rehabilitation project at 615 E. 8th Street.

C. Resolution Releasing Real Estate Mortgage

Presented for City Council's consideration is a resolution releasing a real estate mortgage. In 2001 Jorge and Esmeralda Zapata, 309 E. 6th Street, participated in the 2000 CDBG Housing Rehabilitation Program. The program is a five-year forgivable loan program in which 20% of the loan is forgiven annually on the mortgage's anniversary date until the entire amount has been forgiven. As of this month, 60% of the loan or \$14,999.40 remains. The property has now been purchased by Community Bank who wishes to demolish this structure to accommodate its planned expansion. The balance has been paid to the city in fulfillment of the outstanding debt and release of the mortgage is recommended.

At this time City Council could take action by resolution releasing the real estate mortgage under the 2000 CDBG Owner-Occupied Residential Rehabilitation Program.

D. 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. Periodically city staff presents the City Council a request to authorize the assessment of unpaid abatement costs to private properties. At this time there are 14 actions against 11 properties totaling \$1,888.18. Prior to action requesting assessment against property taxes, appropriate measures are taken by staff to collect outstanding balances.

At this time City Council could take action by resolution authorizing the assessment of unpaid abatement costs to private properties.

E. Resolution Accepting Low Bid for the Riverview Center Restoration

Presented for City Council's consideration is a resolution accepting the low bid for the Riverview Center Restoration Project. Bids for the project are currently under review by city staff, the Parks & Recreation Advisory Commission, and the Pearl of the Mississippi Advisory Team. Recommendations and reviews will be presented at Thursday night's meeting.

F. Request Approval of the Joint Participation Agreement with the Iowa Department of Transportation for State Transit Assistance

Presented for City Council's consideration is a request to approve a joint participation agreement with the Iowa Department of Transportation for state transit assistance. Previously the City Council conducted a public hearing concerning the annual appropriations for operating assistance from the IDOT for the city's transit operation. It is anticipated that the city will receive \$144,716 for fiscal year 2004/2005.

At this time City Council could take action to approve the joint participation agreement with the IDOT for state transit assistance for the fiscal year 2004/2005.

G. Request Authorization to Issue Purchase Order for Pickup Truck for Transfer Station

Presented for City Council's consideration is a request to authorize the issuance of a purchase order for a pickup truck for the transfer station. The city has \$28,000 budgeted for the purchase of a $\frac{3}{4}$ ton four-wheel drive pickup truck with a snowplow for fiscal year 2004/2005. Three bids were received with the low apparent bid being that of Krieger Motor Company for a 2004 Chevrolet 2500 HD vehicle for a cost of \$21,561.91, which includes a trade-in value for an existing vehicle within the department.

At this time City Council could take action to authorize the issuance of a purchase order for a 2004 Chevrolet 2500 HD truck to Krieger Motor Company in the amount of \$21,561.91.

H. Request Approval of Traffic Item

Presented for City Council's consideration is a request to approve the placement of a stop sign at the intersection of Oakland Drive and Parkington. The city's Traffic Committee has reviewed a request to install a stop sign on Oakland Drive at Parkington on the south side of the intersection. Currently there are no traffic control devices at this intersection and with the aquatic center at Weed Park, increased vehicular and pedestrian traffic is occurring. The Traffic Committee concurs with this request.

At this time City Council could take action to authorize the installation of a stop sign on the south side of the intersection of Oakland Drive and Parkington.

I. Request Authorization to Enter Into Agreement with Stanley Consultants for Pine Ridge Acres Addition Sanitary Sewer Extension

Presented for City Council's consideration is a request for authorization to enter into an agreement with Stanley Consultants for the Pine Ridge Acres Addition Sanitary Sewer Extension. Following the voluntary annexation of the Pine Ridge Acres Addition, the city has committed to extend sanitary sewer to this property. City staff is requesting Council to consider the authorization to enter into an agreement with Stanley Consultants Inc. to provide for regulatory and permitting action, design, construction documents, bidding and service during construction of the project. The cost of the contract will be \$28,800. This will be paid from the city's sewer extension reserve fund.

At this time City Council could take action to authorize the city to enter into an agreement with Stanley Consultants for the Pine Ridge Acres Addition Sanitary Sewer Extension.

J. Request to Approve Positions for the Joint Communications Staff

Presented for City Council's consideration is a request to approve positions for the joint communications staff. The Muscatine City/County Joint Communications Commission will be respectfully asking both the City Council and the County Board of Supervisors to officially authorize the number of employees needed for the joint communications operation. At this time the City Council is being asked to consider the designation of 12 dispatchers and one manager for this operation.

At this time City Council could take action to approve the positions of the joint communications for the joint communications operation for the City of Muscatine and Muscatine County.

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – June 7 & 14, 2004
- B. Art Center Board of Trustees – June 17, 2004
- C. Bi-State Regional Commission – May 26, 2004
- D. Library Board of Trustees – May 19, 2004
- E. Senior Resources – May 25, 2004
- F. NFPA Fire Survey – April 2004 & May 2004
- G. City of Muscatine Financial Reports – May 2004

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,105,970.32, as well as receipt summaries for March, April and May 2004, 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 Authorization to Enter Closed Session to Discuss Pending Litigation

17. ADJOURNMENT