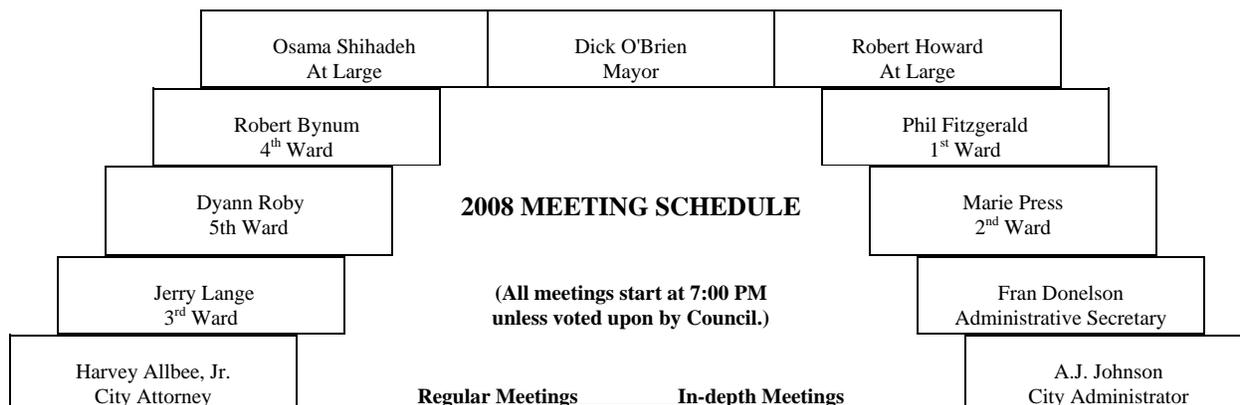


# CITY COUNCIL



	<u>Regular Meetings</u>	<u>In-depth Meetings</u>	
January 10 & 17	July 3 & 17	January 10	July 10
February 7 & 21	August 7 & 21	February 14	(None in August)
March 6 & 20	September 4 & 18	March 13	September 11
April 3 & 17	October 2 & 16	April 10	October 9
May 1 & 15	November 6 & 20	May 8	November 13
June 5 & 19	December 4 & 18	June 12	December 11

## AGENDA

### THURSDAY, APRIL 17, 2008 COUNCIL CHAMBERS - CITY HALL

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **OPENING PRAYER**
4. **PLEDGE OF ALLEGIANCE**
5. **COMMUNICATIONS – CITIZENS**

A. Swearing In of Police Officers Joe Roseman and Whitney Wethington

At this time Police Officers Joe Roseman and Whitney Wethington will be sworn in.

B. Presentation of Medal of Merit to Detective Mark Lawrence

At this time Detective Mark Lawrence will be presented with a Medal of Merit

6. **MINUTES - APPROVAL**

- A. City Council Meeting – April 3, 2008
- B. In-Depth Council Meeting – April 10, 2008

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-F
- \* 13 – A-G
- \* Bills\*

\* Approval of attached Bills for Approval totaling \$1,237,534.89 is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

- A. Proposed Loan Agreement Including an Increase in General Obligation Bonds and the Issuance of Refunding Bonds

Previously City Council took action to establish a public hearing on the proposed loan agreement including an increase in general obligation bonds and the issuance of refunding bonds. In anticipation of a May 1, 2008 bond letting, the city has prepared and Council previously approved the issuance of debt in an amount not to exceed \$6,825,000. This amount includes an additional \$255,000 in funding for the 2008 Pavement Management Program and \$6,570,000 in refunding bonds. Prior to any formal action by City Council on this matter, a public hearing is required.

Now is the time for the public to comment on the proposed loan agreement including an increase in general obligation bonds and the issuance of refunding bonds.

- B. Proposed Golf Course Maintenance Facility

Previously City Council took action to establish a public hearing on the proposed golf course maintenance facility. In advance of the approval of the plans, specifications, and form of contract for any public project, a public hearing is required. At last week's in-depth meeting, a presentation was given by city staff concerning the project, including the dimensions and construction schedule.

Now is the time for the public to comment on the proposed plans, specifications, form of contract, and cost estimate on the proposed golf course maintenance facility.

- C. Proposed Imposition of Civil Penalty for Cigarette Permit Holder Violating Iowa Code Chapter 453A

This public hearing will be handled by City Attorney Harvey Allbee Jr.

## **9. PETITIONS AND COMMUNICATIONS**

- A. Second reading for a new Class C Beer/Wine Permit for Green's Tea & Coffee, 208 W. 2<sup>nd</sup> Street, Suite 8 – Green's Tea Company LLC (pending final paperwork)
- B. Request for renewal of a Class A Liquor License and Sunday Sales Permit for Muscatine Moose Lodge #388, 207 Lake Park Boulevard
- C. Request for renewal of a Class C Liquor License with Sunday Sales and Outdoor Service for Mike's Hilltop Tap Inc., 929 Lucas Street (pending receipt of dram shop insurance)
- D. Request for renewal of a Class B Beer and Sunday Sales Permit for Pizza Hut of Muscatine Inc., 2512 Park Avenue
- E. Request for renewal of a Class B Beer and Sunday Sales Permit for Pizza Ranch of Muscatine, 106 Ford Avenue – Psychodog Enterprises Inc.
- F. Request for an Outdoor Service Permit for Mami's Authentic Mexican Food Services at 201 W. 2<sup>nd</sup> Street for Cinco de Mayo Celebration on May 3, 2008 (pending receipt of dram shop insurance and inspections)
- G. Request for Use of City Property for Cinco de Mayo Celebration

Presented for City Council's consideration is a request for the use of city property for the Cinco de Mayo celebration on May 3, 2008. The city has received a request from Mami's Authentic Mexican Food Services to conduct a Cinco de Mayo celebration on 2<sup>nd</sup> Street between Chestnut and Pine streets on Saturday, May 3, 2008, from 4 p.m. to midnight. The organizers of the event plan to provide for music, food, and beverages at this event.

Is there a motion to take action to authorize the use of city property for Saturday, May 3, 2008, from 4 p.m. to midnight for a Cinco de Mayo celebration?

**10. FROM THE MAYOR**

- A. Proclamation Declaring April 25, 2008 as “Arbor Day”
- B. Proclamation Declaring May 2008 as “National Military Appreciation Month”
- C. Proclamation Declaring April 27, 2008 through May 3, 2008 as “National Volunteer Week”
- D. Proclamation Declaring May 9, 2008 as “National Provider Appreciation Day”  
Is there a motion to approve the proclamations as submitted?

Is there a motion to take action to approve the proclamations as submitted?

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

- A. Resolution Approving the Final Plat for the Wolfe Subdivision

Presented for City Council’s consideration is a resolution approving the final plat for the Wolfe Subdivision. This subdivision is a three-lot subdivision located in the 2200 block of Grandview Avenue. The owner is currently constructing a building on Lot 1 of this property for his contracting business. The remaining two lots will be served by a shared access from Grandview Avenue that will be located between the new building and the Elms Restaurant. The city’s Planning and Zoning Commission has reviewed and approved this plat.

Is there a motion to adopt the resolution approving the final plat for the Wolf Subdivision in the City of Muscatine?

**12. FROM THE CITY ADMINISTRATOR**

- A. Resolution Fixing Date for Sale of General Obligation Corporate Purpose Bonds and General Obligation Refunding Bonds and to Approve Official Statement for the Bonds

Presented for City Council’s consideration is a resolution fixing the date for sale of general obligation corporate purpose bonds and general obligation refunding bonds and to approve the official statement for the bonds. Previously the City Council conducted a public hearing to receive public comment on the proposed sale of general obligation bonds for the City of Muscatine. In advance of that public hearing, Council had taken a number of other actions to position the city for the sale of general obligation debt effective May 1, 2008. The total general obligation debt issue anticipated will be \$5,120,000. In addition, there will be a potential of another \$6,570,000 in refunding bonds that will be offered. Following all the actions to date, including this evening’s public hearing, the final action for City Council to take is to

establish the official date of sale for the general obligation bonds for May 1, 2008 at 2 p.m.

Is there a motion to adopt the resolution fixing the date for sale of general obligation corporate purpose bonds and general obligation refunding bonds and to approve the official statement for the bonds?

B. Resolution Approving the Plans, Specifications, Form of Contract, Cost Estimate, and Setting the Bid Opening Date for the Golf Course Maintenance Facility

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract, cost estimate, and establishing a bid opening date for the golf course maintenance facility. Previously a public hearing was held to receive public comment on the proposed construction of a new maintenance facility at the golf course. This matter had also been subject to a previous review by City Council at an in-depth meeting. The estimated cost for the project will be \$200,000 with the completion date estimated for October 2008.

Is there a motion to adopt the resolution approving the plans, specifications, form of contract, cost estimate, and setting the bid opening date for the golf course maintenance facility for Friday, May 23, 2008, at 2:05 p.m.?

C. Resolution Approving the Order Assessing a Civil Penalty with Regard to a Cigarette Permit Holder Violating Iowa Code 453A.2

Presented for City Council's consideration is a resolution approving the order assessing a civil penalty with regard to a cigarette permit holder violating Iowa Code 453A.2. Previously a public hearing was held to receive public comment on this matter. If in advance of this action considered by City Council the permit holder in violation has not yet agreed to an acknowledgement/settlement agreement, then this action will allow the city to assess a civil penalty against said cigarette permit holder.

Is there a motion to adopt the resolution approving the order assessing a civil penalty with regard to a cigarette permit holder violating Iowa Code 453A.2?

D. Resolution Setting Public Hearing to Consider a Utility Easement Crossing City Property

Presented for City Council's consideration is a resolution setting a public hearing to consider a utility easement crossing city property. The city has received a request from Muscatine Power & Water to consider the granting of an easement for the construction and maintenance of a water main crossing the corner of the property behind Fire Station #2 on Oregon Street. Prior to any such action, a public hearing is required.

Is there a motion to adopt the resolution setting a public hearing on the proposed

utility easement for Thursday, May 1, 2008, at 7 p.m.?

E. Resolution Endorsing Municipal Airport Projects for Fiscal Years 2009 and 2010 and Certifying the Availability of Matching Funds

Presented for City Council's consideration is a resolution endorsing the Municipal Airport Projects for fiscal years 2009 and 2010 and certifying the availability of matching funds. This new FAA requirement essentially states that the city endorses the project and has local matching funds available to meet the 5% local share. It does not commit the city financially to move forward at this time. The projects identified in the five-year CIP plan for the airport call for improvements and replacement of a municipal storage hangar and replacement of t-hangars and apron way as well.

Is there a motion to adopt the resolution endorsing Municipal Airport Projects for fiscal years 2009 and 2010 and certifying the availability of matching funds?

F. Resolution Accepting Low Bid for Snow Removal Equipment for the Municipal Airport

Presented for City Council's consideration is a resolution accepting the low bid for the purchase of snow removal equipment for the Municipal Airport. The city had previously received authorization from the FAA to proceed with the solicitation of bids for snow removal equipment at the airport. Two bids were submitted for consideration with the lowest responsible bid being that of Truck Country of Davenport, Iowa, in the amount of \$117,342. This price includes an 11' power reversible plow for the existing truck at this facility. Following a review of the material by FAA, the city can anticipate a formal agreement for your consideration at the May 1, 2008 meeting. Funding for this piece of equipment will be at the 95% federal level and 5% local level.

Is there a motion to adopt the resolution accepting the low bid for the purchase of snow removal equipment at the Municipal Airport?

G. Resolution Approving Contract and Bond for the 2008 Maiden Lane Sanitary Sewer Project

Presented for City Council's consideration is a resolution approving the contract and bond for the 2008 Maiden Lane Sanitary Sewer Project. Previously Council took action to award the bid to Hagerty Earthworks LLC in the amount of \$99,491.81 for this project. City staff has reviewed and approved the documentation submitted at this time.

Is there a motion to adopt the resolution approving the contract and bond for the 2008 Maiden Lane Sanitary Sewer Project from Hagerty Earthworks LLC in the amount of \$99,491.81?

H. Resolution Approving the Contract and Bond for the 2008 Street Improvement Project

Presented for city Council's consideration is a resolution approving the contract and bond for the 2008 Street Improvement Project. Previously the City Council took action to accept the bid from Illowa Investment Inc. in the amount of \$2,252,884.40 for this project. City staff has reviewed and approved the documentation submitted at this time.

Is there a motion to adopt the resolution approving the contract and bond for the 2008 Street Improvement Project from Illowa Investment Inc. in the amount of \$2,252,884.40?

I. Request Approval to Purchase Four Security Camera Systems for the Transit Buses

Presented for City Council's consideration is a request to approve the purchase of four security camera systems for the transit buses. Included in this year's budget are monies from various sources that will allow the city to purchase safety camera equipment for the city's MuscaBus system. Three proposals were solicited, and after a thorough evaluation of the proposals, the system provided by Verint Video in the amount of \$3,564.44 per vehicle is being recommended for approval. The total cost for the project will be \$18,415.54 with 80% of the total cost coming from federal funds and the remaining 20% coming from local funds.

Is there a motion to authorize the purchase of security cameras for the MuscaBus transit system from Verint Video in the amount of \$18,415.54?

J. Request Approval to Submit Grant for the Purchase of Bulletproof Vests for the Police Department

Presented for City Council's consideration is a request to submit a grant application for the purchase of bulletproof vests for the Police Department. The federal government has re-established a program for the purchase of bulletproof vests for 2008. This program provides up to 50% of the costs of vests for police officers. The required 50% local match is made up by the officer, and the city provides payment for that share through the city's buy-back program. An estimated price per vest is \$540. At this time seven vests would be purchased in the amount of \$3,532.

Is there a motion to authorize the submittal of a grant for the purchase of bulletproof vests for the Police Department?

K. Request to Authorize Electronic Bidding Procedures Using the PARITY System for Bond Issue Bids and to Authorize Piper Jaffray to Participate in the Competitive Bid Procedure

Presented for City Council's consideration is a request to authorize electronic bidding procedures using the PARITY system for bond issues and to authorize Piper Jaffray to participate in the competitive bid procedure. This joint action requested by staff will authorize the use of an electronic system known as PARITY that will be utilized by potential bidders for the upcoming bid for municipal corporate purpose bonds. The PARITY system will allow for an electronic bid to be submitted in advance of the deadline established by City Council. In addition, this action will also authorize Piper Jaffray to participate in the competitive bidding process for these bonds.

Is there a motion to approve the recommendation of the city's financial consultant to use the PARITY electronic bid system for the receipt of bids and to allow Piper Jaffray to participate in the competitive bid process?

L. Request to Approve a Fueling Agreement Between the City of Muscatine and River Bend Transit

Presented for City Council's consideration is a request to approve a fueling agreement between the City of Muscatine and River Bend Transit. The city's Public Works Department was approached by the operators of the River Bend Transit Operation to purchase fuel from the city's facility. River Bend Transit is a not-for-profit organization that qualifies for the same consideration for exemption from the Iowa fuel tax that the city and other public agencies do. Because of the frequent number of trips that this organization makes into the City of Muscatine, they are asking as a matter of convenience to purchase fuel from the city. This organization currently has a similar arrangement with the City of Davenport. Staff is recommending that the agreement be entered into to clarify the responsibilities, roles, and authorization for such a transaction to take place.

Is there a motion to approve an agreement between the City of Muscatine and River Bend Transit to purchase fuel from the City of Muscatine?

M. Request to Approve Agreement between the City of Muscatine and Heinz USA for Wastewater Services

Presented for City Council's consideration is a request to approve a one-year extension of a wastewater agreement between the City of Muscatine and Heinz USA. The current three-year contract expires at the end of April 2008. City staff as well as representatives from the local Heinz USA plant have agreed it would be appropriate for a one-year extension to be entered into. There would be no cost increases associated with this extension and the existing fees would remain in place. At the end of the one-year extension, the city will have a complete handle on its upcoming expenditures for plant improvements that will affect rates for not only this contract

but the general users in the city's system. At this time city staff thought it would be premature to enter into a longer term agreement with such unknown costs yet to be determined.

Is there a motion to authorize the one-year extension of the contract between the City of Muscatine and Heinz USA for Wastewater Services?

N. Request Authorization to Establish Local Option Sales Tax Renewal Date

Presented for City Council's consideration is a request for authorization to establish a local option sales tax renewal date. In previous discussions, the Council had tentatively authorized the date of August 12, 2008 as the date for voters to consider the renewal of the current 1% local option sales tax. This tax has been in place since July 1, 1994 and has been used for improvements, repair and extensions of storm and sanitary sewers within the City of Muscatine along with supporting the Pearl of the Mississippi Project. A formal letter of request establishing this date to the County Auditor is required as the first step in establishing the renewal date.

Is there a motion to request the establishment of a local option sales tax renewal date for Tuesday, August 12, 2008?

**13. COMMUNICATIONS - RECEIVE AND FILE**

- A. Muscatine County Board of Supervisors – March 24 & 31, 2008
- B. Board of Water, Electric, and Communications Trustees – February 26, 2008
- C. MP&W Communication Utility – February 2008
- D. MP&W Electric Utility – February 2008
- E. MP&W Water Utility – February 2008
- F. City of Muscatine Financial Reports – February 2008
- G. Art Center Board of Trustees – February 21, 2008

**14. APPROVAL OF BILLS**

It is recommended bills totaling \$1,237,534.89 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**