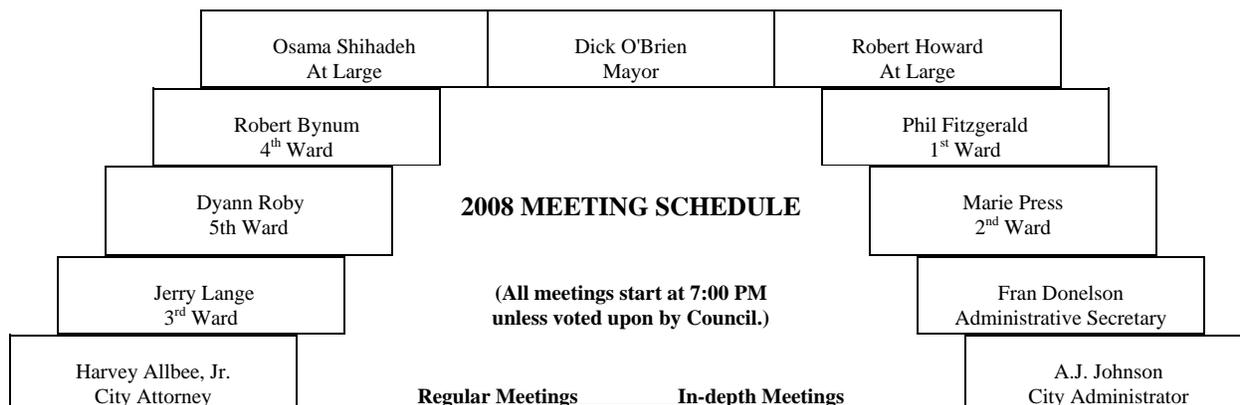


# CITY COUNCIL



January 10 & 17 February 7 & 21 March 6 & 20 April 3 & 17 May 1 & 15 June 5 & 19	July 3 & 17 August 7 & 21 September 4 & 18 October 2 & 16 November 6 & 20 December 4 & 18	January 10 February 14 March 13 April 10 May 8 June 12	July 10 (None in August) September 11 October 9 November 13 December 11
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## AGENDA

**THURSDAY, JUNE 5, 2008  
COUNCIL CHAMBERS - CITY HALL**

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

A. Presentation of “Keep Muscatine Beautiful” Certificate

At this time there will be a presentation of a “Keep Muscatine Beautiful” Certificate by a representative of the Keep Muscatine Beautiful Committee

6. **MINUTES - APPROVAL**

A. City Council Meeting – May 15, 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-H
- \* 13 – A-E
- \* Bills\*

\* Approval of attached Bills for Approval totaling \$10,997,728.75 is subject to the approval of any related agenda item(s).

**8. PUBLIC HEARING**

**9. PETITIONS AND COMMUNICATIONS**

- A. Second reading for a new Class B Beer and Sunday Sales Permit for Izalco, 825 Oregon Street – Ana Herrera (pending receipt of dram shop insurance and final paperwork)
- B. Request for an Outdoor Service Permit for Mike’s Hilltop Tap Inc., 929 Lucas Street, June 7-8, 2008 and June 14-15, 2008 (rain date)
- C. Request for renewal of a Class C Liquor License and Sunday Sales Permit for El Allende Inc., 1107 Grandview Avenue
- D. Request for renewal of a Class E Liquor License and Sunday Sales Permit for Cigarette Outlet #16, 1504 Park Avenue – Cigarette Outlet Inc.
- E. Request for renewal of a Class B Beer and Sunday Sales Permit for China Buffet of Muscatine Inc., 1903 Park Avenue #48 – (pending inspections)
- F. Request for renewal of a Class C Beer and Sunday Sales Permit for Fast Avenue One Stop, 2111 Park Avenue – JBC LLC
- G. Request for Renewal of a Class C Beer and Sunday Sales Permit for Scott’s Outdoors, 1907 Stewart Road – General Outdoors Inc.
- H. Request Approval of Cigarette/Tobacco Permits (9) for July 1, 2008 through June 30, 2009

**10. FROM THE MAYOR**

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

- A. Resolution Approving the Final Plat for the Riverbend Sixth Addition to the City of Muscatine

Presented for City Council's consideration is a resolution approving the final plat for the Riverbend Sixth Addition to the City of Muscatine. In 2001 the City Council approved a development plan for the Riverbend Third Addition for the City of Muscatine. In 2004 one lot of that addition was plotted to allow for the construction of up to 42 town homes. Since that time, ownership has changed hands and the new owner/developer has submitted a replat of the one lot of the Riverbend Third Addition that reduces the density from 42 lots to 40 lots. If approved, the development would require the construction of two additional public street sections extending from Baton Rouge Road. Public improvement portions of the development will require the dedication of approximately 1.45 acres of real estate for road right-of-way. The Planning and Zoning Commission has reviewed the final plat and is recommending its approval by City Council.

Is there a motion to adopt the resolution approving the final plat for the Riverbend Sixth Addition to the City of Muscatine?

**12. FROM THE CITY ADMINISTRATOR**

- A. Resolution Authorizing the Write-Off of Debts of Certain Former Public Housing Tenants

Presented for City Council's consideration is a resolution authorizing the write-off of certain former public housing tenants. Periodically the City Council is asked to consider the write-off of such debts after efforts are made to collect rental payments and other monies owed to the Muscatine Municipal Housing Agency. Despite the city's best efforts, there are times when the write-off request is necessary. In total, the City Council is asked to write off \$1,724.24 of uncollectible debts.

Is there a motion adopt the resolution to write off debts of certain former public housing tenants?

- B. Resolution Approving a Grant Agreement for the Acquisition of Snow Removal Equipment for the Municipal Airport

Presented for City Council's consideration is a resolution approving a grant agreement for the acquisition of snow removal equipment for the Municipal Airport. Previously City Council had taken action to accept the bid and authorize the purchase of snow removal equipment pursuant to the final grant agreement as issued by the Federal Aviation Administration. The grant agreement covers the federal share of \$120,951 (95%) of the total cost of \$127,317 including engineering fees for this activity. If approved, the city's share would be \$6,366 or 5% of the total. The

purchase will include a new truck, dump body, plow and the purchase of a replacement plow for the existing vehicle.

Is there a motion to adopt the resolution approving the grant agreement to acquire snow removal equipment for the Municipal Airport?

- C. Resolution Approving Order Accepting Acknowledgement/Settlement Agreement and Imposing Civil Penalty with Regard to Cigarette Permit Holder Violating Iowa Code 453A.2

Presented for City Council's consideration is a resolution approving the order accepting the acknowledgement/settlement agreement and imposing a civil penalty with regard to a cigarette permit holder violating Iowa Code 453A.2. As part of an ongoing program for tobacco compliance enforcement, the city has reached a settlement with the Kum & Go store located at 501 Cedar Street. A civil penalty in the amount of \$300 for the violation will be imposed.

Is there a motion to adopt the resolution approving the order accepting the acknowledgement/settlement agreement and imposing a civil penalty with regard to a cigarette permit holder violating Iowa Code 453A.2?

- D. Resolution Amending and Approving the Official Pay Plan for Non-Union Employees Effective June 5, 2008

Presented for City Council's consideration is a resolution amending and approving the official pay plan for non-union employees effective June 5, 2008. Previously the City Council received a recommendation for the creation of a new position with the ambulance operation entitled Ambulance Service Billing Manager. The new title is reflective of additional and expanded duties of an existing position that will be left vacant due to retirement. Because it is a new position, it will have to be officially approved and inserted into the city's pay plan.

Is there a motion to adopt the resolution amending and approving the official pay plan for non-union employees effective June 5, 2008?

- E. Request to Reject Bids for the Golf Course Maintenance Building

Presented for City Council's consideration is a request to formally reject bids for the golf course maintenance building. Bids for the project were received on May 23, 2008 with the lowest responsible bid being \$282,375. There was \$200,000 budgeted for this project. After reviewing the bids and options available to the city, it is the recommendation from staff that all the bids be rejected at this time and the project be reassessed with the architect for other options to pursue.

Is there a motion to formally reject the bids submitted for the golf course maintenance building project?

F. Request to Approve the Ballot Question for the Local Option Sales Tax Renewal Election

Presented for City Council's consideration is a request to approve the ballot question for the local option sales tax renewal election. Previously City Council had determined that they wished to put before the voters a vote for renewal of the current 1% sales tax for various infrastructure projects for Tuesday, August 12, 2008. In accordance with requirements as submitted by the County Auditor's office, a sales tax question must now be developed and submitted to them in advance of the election to meet all appropriate notification requirements by the State of Iowa. The question being posed will ask the voters for an extension of the 1% sales tax beginning July 1, 2009 for a 10-year period. If approved, 80% of the 1% local option sales tax would be used for storm and sanitary improvements, repairs, and extensions and up to 20% for the pavement management program. Prior to the submittal of the question to the County Auditor's office, Council approval is required.

Is there a motion to approve the ballot question for the local option sales tax renewal election?

G. Request to Approve the Renewal of the Contract with Genesis Health System for EAP Services

Presented for City Council's consideration is a request to approve the renewal of the contract with Genesis Health System for EAP services. The city's current contract will expire on June 30, 2008. Genesis has offered to renew the contract for two more years at the same price, \$3.30 per employee. The annual utilization rate is currently at 28.93%. The city has experienced an excellent relationship with the EAP provider and staff is recommending the renewal of the contract.

Is there a motion to approve the renewal of the contract with Genesis Health System for EAP services?

H. Request to Declare Landfill Storage Building as Surplus Property

Presented for City Council's consideration is a request to declare a landfill storage building as surplus property. The Muscatine County Landfill site has a 30' x 60' pole building, and the Solid Waste Division of Public Works has determined there is no longer a need for the building at this location. Internal interest has been solicited with no response; therefore, staff requests the building be declared as surplus. Staff has investigated the cost associated with relocation of the building as well as cost estimates for a new building. At this time the recommendation would be to declare the property as surplus and to have it removed from the site as soon as possible.

Is there a motion to declare the landfill storage building as surplus property?

I. Request for Termination of Riverfront Marina Operations Agreement

Presented for City Council's consideration is a request to terminate the Riverfront Marina Operations Agreement. The city has received a request from the current operator to consider terminating the agreement at this time. Prior to approaching the city for this request, the current operator assessed his current position in association with the economic viability of continuing to pursue this on behalf of the city. His recommendation is for the contract to be terminated and the city pursue a more economical manner in which to provide this service even if on a limited basis. City staff has met with the current operator a number of times and has enjoyed a very positive working relationship with him. However, staff agrees this is the course of action to take at this time.

Is there a motion to take action to approve the termination of the riverfront marina operation agreement?

J. Request to Approve Amendment to Retail Sales Service Agreement and Lease – Greenwood Cemetery

Presented for City Council's consideration is a request to approve an amendment to the retail sales service agreement and lease for Greenwood Cemetery. City staff has been in discussions with the contract operator for the Greenwood Cemetery business office operation on behalf of the city. The amendment request is to extend the existing agreement an additional two years, expiring June 30, 2010. There will be no other changes to the contract at this time.

Is there a motion to approve the amendment to the retail sales service agreement and lease for Greenwood Cemetery?

K. Request Approval of Amendment to Greenwood Cemetery Business Office Operations Agreement

Presented for City Council's consideration is a request to approve the amendment to the Greenwood Cemetery business office operations agreement. City staff has been in discussions with the contract operator of the retail service arrangement for the City of Muscatine at Greenwood Cemetery. It is being requested and recommended by staff that the current agreement be extended by two years through June 30, 2010. All the terms and conditions of the contract will remain the same.

Is there a motion to approve the amendment to the Greenwood Cemetery business office operations agreement?

L. Request Approval to Enter Into an Agreement with Fox Engineering for the Phase III Landfill Design

Presented for City Council's consideration is a request to enter into an agreement

with Fox Engineering for Phase III of the landfill design. The city has solicited and received an agreement with Fox Engineering for the Phase III landfill design. The design would provide for professional engineering services associated with the development of Phase III Horizontal Expansion/Ravine 5 and 6 Closure at the Muscatine County Landfill. This agreement would be between the City of Muscatine and Fox Engineering and is part of the ongoing long-term planning and design for landfill cells at the Muscatine County Landfill. If approved by Council, the contract would provide for preliminary design phase, the design phase for the disposal area, and closure of activities, and the bidding phase. The total cost for the contract will be \$30,000.

Is there a motion to enter into an agreement with Fox Engineering for Phase III of the landfill design?

M. Request Approval of Labor Contracts

Presented for City Council's consideration is a request to approve labor contracts. The city has concluded its labor negotiations with its three labor unions, Police, Blue/White Collar, and Fire. The Police Department will have a one-year contract with changes in its compensation schedule which includes adjustments to the planned step program for officers. The Blue/White and Fire contracts will be for two years and will have a 3.5% adjustment across-the-board wage increase for each of the two years. There will also be changes in contribution requirements for health insurance by city employees and other language clarification.

Is there a motion to approve the bargaining unit agreements between the City of Muscatine and the Police Union for one year, the Blue/White Collar for two years, and the Fire Union for two years?

N. Request Approval of Memorandum of Understanding

Presented for City Council's consideration is a request to approve a memorandum of understanding between the City of Muscatine and the Iowa Department of Transportation. This memorandum will allow for the expanded implementation of the Traffic and Criminal Software (TraCS) within the Police Department. This program will allow for citations and state reports to be filled out by city officers at the scene of the incident utilizing pre-approved state forms. In exchange, the city will receive computer hardware, software and other support services to assist in this process. This will also include the purchase of eight mobile computers for the City of Muscatine.

Is there a motion to approve the memorandum of understanding between the Muscatine Police Department and the Iowa Department of Transportation?

**13. COMMUNICATIONS - RECEIVE AND FILE**

- A. Muscatine County Board of Supervisors – May 5 & 12, 2008
- B. Historic Preservation Commission – April 16, 2008
- C. Airport Advisory Commission – April 28, 2008
- D. Library Board of Trustees – April 16, 2008
- E. City of Muscatine Financial Reports – April 2008

**14. APPROVAL OF BILLS**

It is recommended bills totaling \$10,997,728.75 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**