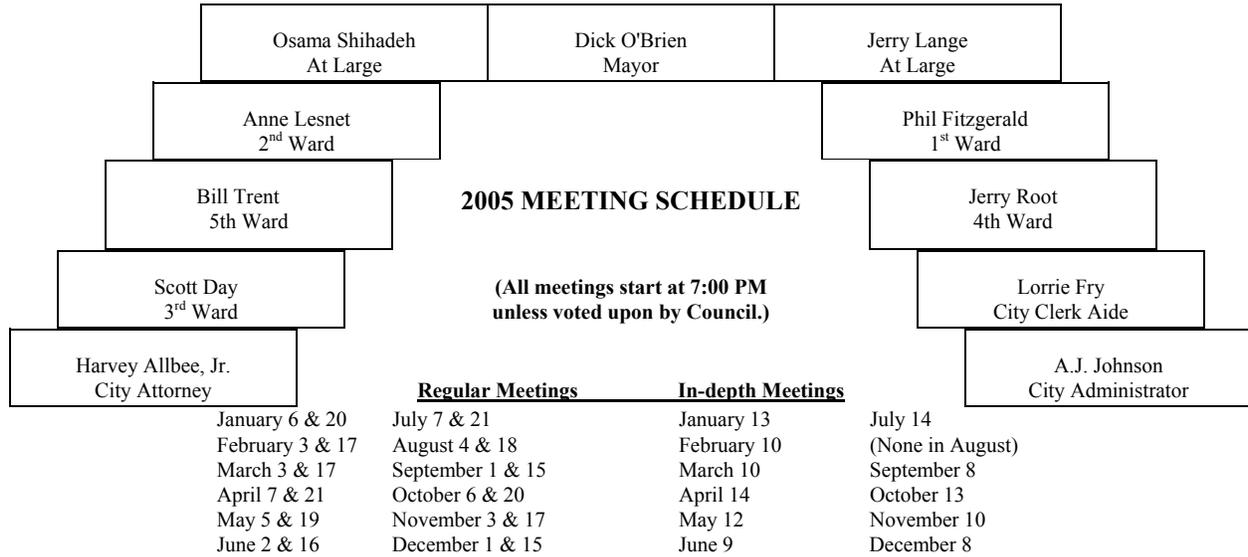


MUSCATINE CITY COUNCIL



AGENDA

**THURSDAY, JANUARY 6, 2005, 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. Swearing In of Police Officers

At this time Police Officers William Barcomb and Danny Antle will be sworn in.

6. **MINUTES - APPROVAL**

- A. Regular City Council Meeting – December 16, 2004
- B. Special City Council Meeting – December 20, 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-
- * 13 – A-F
- * Bills*

* Approval of attached Bills for Approval totaling \$1,646,831.44 is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

A. Proposed Riverfront Riverfront/Marina Operations

Previously the City Council took action to establish a public hearing to receive public comment on the proposed riverfront/marina operations. A contract for services is being proposed between the city and D&C Werner, LLC, doing business as Lange’s Marina of Muscatine. The city would maintain ownership of the facilities and the contractor would be responsible for providing services such as gas sales and convenience sale operations at city facilities. The first year of the contract would provide for a \$5,000 payment to the contractor and subsequent years would be subject to negotiations between the city and the contractor for compensation either to the contractor or to the city and/or shared revenue arrangements. Prior to any formal contract being entered into by the city on this matter, a public hearing is required.

Now is the time for the public to comment on the proposed riverfront/marina operations contract for services.

9. PETITIONS AND COMMUNICATIONS

A. Request on first reading for a new class BW Beer/Wine and Sunday Sales Permit for Port City Underground, 208 W. 2nd Street – Port City Partnership (pending receipt of dram shop insurance and inspections)

10. FROM THE MAYOR

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

A. Resolution Accepting Public Street Improvements and Sanitary Force Main Installation for Oak Valley Subdivision

Presented for City Council's consideration is a resolution accepting public street improvements and sanitary force main installation for the Oak Valley Subdivision. In 2004 the city agreed with the developers of the Oak Valley Subdivision to proceed with a voluntary annexation in exchange for the extension of sanitary sewer to the property. In addition, the developer of the Oak Valley Subdivision has installed other public infrastructure to meet city standards. At this time all of the public improvements have been completed as well as inspected by city staff and are being submitted for Council's consideration and approval.

At this time City Council could take action by resolution accepting the public street improvements and the sanitary force main installation for the Oak Valley Subdivision in the City of Muscatine.

B. Resolution Accepting Completed Work for the 2004 Fuller Park Trail Project

Presented for City Council's consideration is a resolution accepting the completed work for the 2004 Fuller Park Trail Project. In 2004 the city entered into a contract with Sulzberger Excavating Inc. of Muscatine in the amount of \$89,000.20. There was a material cost overrun totaling \$2,817.20, which brings the final project price to \$91,817.43. To date \$84,085.62 has been paid leaving a balance of \$7,731.81 including the 5% retainage due and payable to Sulzberger Excavating. The work has been completed.

At this time City Council could take action by resolution accepting the completed work performed under the Fuller Park Trail Project and authorizing final payment to Sulzberger Excavating Inc.

C. Resolution Authorizing Assessment of Unpaid Abatement Costs to Private Property Owners

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid abatement costs to private property owners. A total of eight properties involving ten separate actions for a total of \$3,035.18 will be assessed against the respective properties for collection.

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

D. Resolution Setting Time and Place of a Public Hearing for Disposal of City Property

Presented for City Council's consideration is a resolution setting the time and place of a public hearing concerning the declaration of real estate as surplus property and offering said

real estate for sale. The said real estate is a part of Lot 5 of the Lucas Street Addition in the City of Muscatine and is commonly referred to as the former cemetery maintenance facility located at 1829 Lucas Street. The city has constructed a replacement maintenance facility on the cemetery property. Although the facility is currently used for storage, the long-term needs of the city are best suited by selling the property. Prior to any actual sale of the property, a public hearing must be conducted.

At this time City Council could take action by resolution setting a public hearing for Thursday, January 20, 2005, at 7:00 p.m. concerning the declaration of real estate as surplus property and offering said real estate for sale.

E. Request Approval of Cooperative Agreement with the Iowa Department of Transportation and Muscatine Power & Water for Improvements to U.S. 61 at Hershey Avenue

Presented for City Council's consideration is a request to approve a cooperative agreement between the Iowa Department of Transportation and Muscatine Power & Water for improvements to U.S. 61 at Hershey Avenue. The IDOT plans to install signals at this intersection in advance of the eventual construction of a bridge overpass at this location. The majority of the contract focuses on the responsibilities of MP&W and the IDOT but there are provisions in the contract that require the city to remove any obstructions in the highway right-of-way, prevent the placement of any obstructions on the right-of-way, and relocate existing utility if necessary.

At this time City Council could take action to authorize the city to enter into a cooperative agreement with the Iowa Department of Transportation and Muscatine Power & Water for the placement of signals at the intersection of U.S. Bypass 61 and Hershey Avenue.

F. Request Authorization to Purchase Vehicle for Police Department

Presented for City Council's consideration is a request for authorization to purchase a vehicle for the Police Department. A Police Department vehicle was involved in an accident in late 2004. The accident resulted in the vehicle being totaled out. The individual who caused the accident was cited and had the appropriate insurance. Recently the final settlement was made with the City of Muscatine for the damage caused to the vehicle. It is being proposed that the settlement received for the insurance on the vehicle as well as existing forfeiture funds be utilized to purchase a new vehicle for Police Department activities. The existing vehicle being replaced will be used for travel and training opportunities for departmental personnel. Bids were solicited from local vendors with the low bid being submitted by Krieger Motor Company in the amount of \$22,486 for a 2004 Impala LS Sedan. Of that amount, \$11,200 will be provided through the insurance settlement with an additional \$11,286 being provided through the police forfeiture funds.

At this time City Council could take action to authorize the purchase of a 2004 sedan from Krieger Motor Company in the amount of \$22,486.

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – December 6 & 13, 2004
- B. Library Board of Trustees – November 17, 2004
- C. Historic Preservation Commission – November 16, 2004
- D. Police Department Monthly Report – November 2004
- E. NFPA Fire Survey – October 2004
- F. City of Muscatine Financial Reports – November 2004
- G. MP&W Operating Statements – Electric Utility – October 2004
- H. MP&W Operating Statements – Communications Utility – October 2004
- I. MP&W Operating Statements – Water Utility – October 2004

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,646,831.44 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