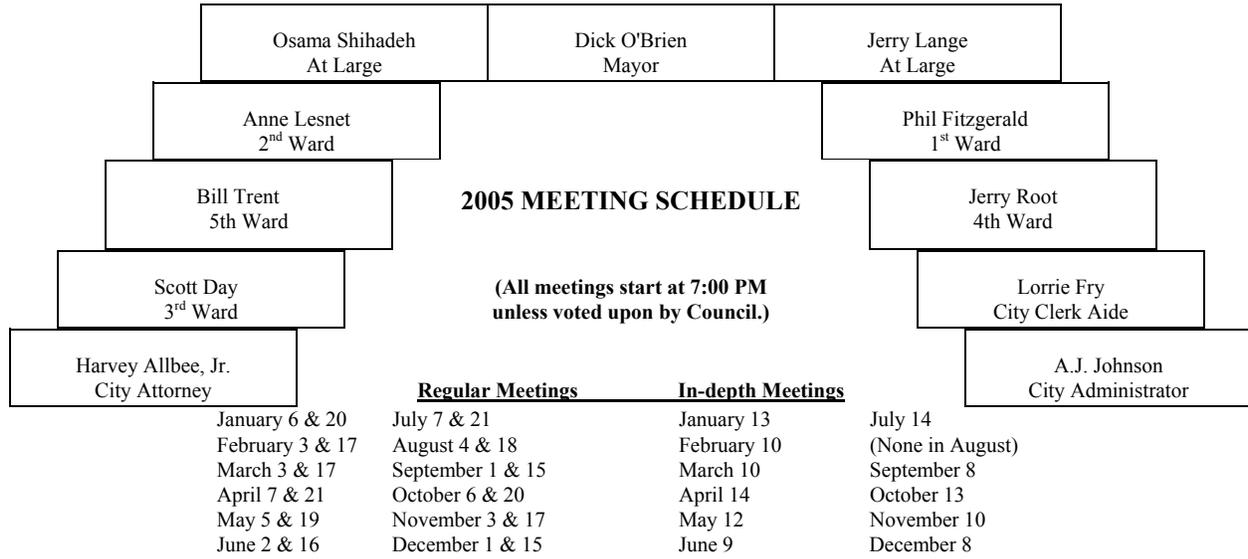


# MUSCATINE CITY COUNCIL



## AGENDA

**THURSDAY, JANUARY 20, 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
6. MINUTES - APPROVAL

- A. Regular City Council Meeting – January 6, 2005
- B. Joint City Council/County Board of Supervisors Meeting – January 13, 2005
- C. In-Depth City Council Meeting – January 13, 2005

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-B
- \* 13 – A-H
- \* Bills\*

\* Approval of attached Bills for Approval totaling \$1,541,449.15 is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Disposal of City Property

Previously the City Council took action to establish a public hearing for the proposed disposal of city real estate. The said real estate is 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 property was previously used by the City of Muscatine for a storage and maintenance facility for cemetery operations. With the construction of a new facility on the cemetery property, this property is no longer necessary. Prior to any sale of city property, a public hearing is required.

Now is the time for the public to comment on the proposed sale of city property.

9. **PETITIONS AND COMMUNICATIONS**

- A. Request on second reading for a new Class BW Beer/Wine and Sunday Sales Permit for Port City Underground, 208 W. 2<sup>nd</sup> Street – Port City Partnership (pending receipt of dram shop insurance and inspections)
- B. Request for renewal of a Class C Beer and Sunday Sales Permit for West Side Store, 2201 Houser Street – DJMB, LLC

10. **FROM THE MAYOR**

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

**A. Resolution Approving Final Plat of Cedars First Addition Being a Replat of Lot 2 of North Port Commons**

Presented for City Council's consideration is a resolution approving the final plat of Cedars First Addition being a replat of Lot 2 of North Port Commons. Previously the North Port Commons development plan had been submitted and approved by the City Council. At this time, in order to address a desire for the development of part of the property, an application for the split of Lot 2 has been submitted and reviewed by the city's Planning & Zoning Commission and forwarded on for City Council's consideration and action. The remainder of the lot will remain available for future development.

At this time City Council could take action by resolution approving the final plat of Cedars First Addition being a replat of Lot 2 of the North Port Commons, a subdivision in the City of Muscatine.

**B. Resolution Setting the Time and Place of a Public Hearing on a Proposed Annexation to and Within the City of Muscatine**

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for the proposed annexation to and within the City of Muscatine. The proposed annexation is approximately 31.90 acres of real estate owned by Gary Karkosh. City Council has reviewed this annexation opportunity previously and has entered into a pre-annexation agreement with Mr. Karkosh as part of the submittal of this annexation. The annexation was reviewed and approved by the Planning & Zoning Commission during their January 11, 2005 meeting. Prior to any formal action on this voluntary annexation, a public hearing is required.

At this time City Council could take action by resolution setting the time and place of a public hearing on a proposed annexation to and within the City of Muscatine for Thursday, February 17, 2005, at 7 p.m.

**12. FROM THE CITY ADMINISTRATOR**

**A. Resolution Authorizing the Sale of City Property**

Presented for City Council's consideration is a resolution authorizing the sale of city property. The city has received a request from John Timm to purchase a non-buildable lot owned by the city at E. 6<sup>th</sup> Street between Spring and Poplar streets. If the sale is approved, Mr. Timm intends to combine the 30' x 140' lot with a 30' x 140' lot he currently owns, thereby creating a conforming building lot for construction of a new home. Mr. Timm has agreed to pay \$1,250 for the real estate.

At this time City Council could take action by resolution authorizing the sale of city property

to John Timm in the amount of \$1,250.

B. Resolution Approving an Executed Deed

Presented for City Council's consideration is a resolution approving an executed deed. Previously the City Council took action to allow for the sale of city property to John Timm. As a companion piece of that action, it will be necessary for the City Council to take action by resolution approving an executed deed for such a sale. The property in question is the west ½ of Lot 9, Block 107 of the Original Town Plot.

At this time City Council could take action by resolution approving an executed deed between the City of Muscatine and John Timm.

C. Resolution Authorizing Nuisance Abatement at 1203 Hershey Avenue – Whiteway Hotel

This information will be forwarded to you on or before Thursday's City Council meeting.

D. Resolution Accepting Public Street Improvements and Sanitary Force Main Installation for the 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. The public street improvements and the sanitary force main serving this subdivision have been installed according to the submitted plans and specifications and have been recommended for acceptance by the city's engineering department. The pumping station that was installed for the force main will remain private and becomes the responsibility of the owners.

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

E. Request Approval of Proposed Riverfront/Marina Operations Agreement

Presented for City Council's consideration is a request to approve the proposed riverfront/marina operations agreement. Previously the City Council conducted a public hearing to receive public comment on the proposed agreement between the City of Muscatine and D&C Werner, LLC, doing business as Lange's Marine in Muscatine. The contract would be for a five-year time period beginning January 1, 2005 and continuing through December 31, 2009. The contract calls for Mr. Werner to provide riverfront/marina operation services on the riverfront. For those services, the city will pay a fee of \$5,000 for the first year and other services and fees will be negotiated after the first calendar year. It is also understood that Mr. Werner will be providing other services at his expense concerning riverfront concessions, etc.

At this time City Council could take action to approve the proposed riverfront/marina operations agreement between the City of Muscatine and D&C Werner, LLC.

F. Request Approval to Declare Property as Surplus

Presented for City Council's consideration is a request to declare property as surplus. In 2004 the city received funding to replace four buses in the MuscaBus system. One of the buses to be replaced will be utilized for an existing public works activity which leaves the city with three buses to be declared as surplus and offered for sale to the public. The buses are in excess of four years old with over 120,000 miles on each.

At this time City Council could take action to declaration three city buses as surplus property and to authorize for their sale.

G. Request Authorization to Extend Water Connection Incentives

Presented for City Council's consideration is a request to authorize the extension of the water connection incentive program. At the January in-depth meeting, the Council received information concerning the extension of an existing water hookup incentive program and the allowing of an additional incentive to be created for individuals who do not have access to city water. The city's south end water project has recently been completed with 150 homes and businesses identified as eligible to hook on to the new expanded system. The \$500 per hookup incentive was offered through December 30, 2004. Staff is requesting that this program be extended through June 30, 2005 taking into consideration winter conditions. In addition, 10 structures do not have access to the new system and it is being proposed that they be offered a \$500 incentive on a reimbursement basis for new wells they may choose to drill.

At this time City Council could take action to approve the extension of water connection incentives for existing and potential customers for the south end water program.

H. Request Authorization to Purchase Airport Furniture

Presented for City Council's consideration is a request to authorize the purchase of airport furniture. As part of the airport terminal project, monies had previously been identified to purchase furniture to equip the "pilot's lounge" at the airport terminal building. Quotes have been received from two local vendors with the lowest responsible quote being that of Pierce Furniture in the amount of \$6,299. Other furnishings for the airport operation have been provided through HNI Corporation.

At this time City Council could take action to authorize the purchase of furniture for the pilot's lounge at the municipal airport under the airport terminal project.

I. Request Authorization to Sell City Property

Presented for City Council's consideration is a request for authorization to sell city property. Previously the City Council conducted a public hearing concerning the proposed sale of property located at 1829 Lucas Street with a legal description as part of Lot 5 of the Lucas Street Addition. Appropriate public notice will be made available for parties interested in purchasing this property.

At this time City Council could take action to authorize the sale of city property.

**13. COMMUNICATIONS - RECEIVE AND FILE**

- A. Muscatine County Board of Supervisors – December 20, 2004 & January 3, 2005
- B. Art Center Board of Trustees – December 16, 2004
- C. Board of Water, Electric, and Communications Trustees – November 30, 2004
- D. Muscatine School Board – January 10, 2005
- E. Airport Advisory Commission – November 22, 2004
- F. Police Department Monthly Report – December 2004
- G. NFPA Fire Survey – November 2004
- H. Historic Preservation Commission – December 14, 2004

**14. APPROVAL OF BILLS**

It is recommended bills totaling \$1,541,449.15 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**