

MUSCATINE CITY COUNCIL

Gary Gray At Large		Dick O'Brien Mayor	Jerry Lange At Large																																							
Anne Lesnet 2 nd Ward		2003 MEETING SCHEDULE (All meetings start at 7:00 PM unless voted upon by Council.) <table><thead><tr><th>Regular Meetings</th><th>In-depth Meetings</th></tr></thead><tbody><tr><td>January 2 & 16</td><td>January 9</td></tr><tr><td>February 6 & 20</td><td>February 13</td></tr><tr><td>March 6 & 20</td><td>March 13</td></tr><tr><td>April 3 & 17</td><td>April 10</td></tr><tr><td>May 1 & 15</td><td>May 8</td></tr><tr><td>June 5 & 19</td><td>June 12</td></tr><tr><td>July 3 & 17</td><td>July 10</td></tr><tr><td>August 7 & 21</td><td>February 13</td></tr><tr><td>September 4 & 18</td><td>March 13</td></tr><tr><td>October 2 & 16</td><td>April 10</td></tr><tr><td>November 6 & 20</td><td>May 8</td></tr><tr><td>December 4 & 18</td><td>June 12</td></tr><tr><td></td><td>July 10</td></tr><tr><td></td><td>(None in August)</td></tr><tr><td></td><td>September 11</td></tr><tr><td></td><td>October 9</td></tr><tr><td></td><td>November 13</td></tr><tr><td></td><td>December 11</td></tr></tbody></table>			Regular Meetings	In-depth Meetings	January 2 & 16	January 9	February 6 & 20	February 13	March 6 & 20	March 13	April 3 & 17	April 10	May 1 & 15	May 8	June 5 & 19	June 12	July 3 & 17	July 10	August 7 & 21	February 13	September 4 & 18	March 13	October 2 & 16	April 10	November 6 & 20	May 8	December 4 & 18	June 12		July 10		(None in August)		September 11		October 9		November 13		December 11
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Bill Trent 5th Ward		Phil Fitzgerald 1st Ward																																								
Scott Day 3 rd Ward		Jerry Root 4th Ward																																								
Harvey Allbee, Jr. City Attorney		Lorrie Fry City Clerk Aide																																								
		A.J. Johnson City Administrator																																								

AGENDA

THURSDAY, OCTOBER 16, 2003, 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 – October 2, 2003
- B. In-Depth City Council Meeting – October 9, 2003

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-E
- * Bills*

*Approval of attached Bills for Approval totaling \$1,235,505.22 is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

9. PETITIONS AND COMMUNICATIONS

A. Request on first reading for a new Class C Beer and B Wine Permit for Aldi Store #05, 1820 Park Avenue – Aldi Inc. (pending inspections)

B. Request for Authorization to Bow Hunt Deer in the City of Muscatine

The city has received a request from Steve Braasch for permission to bow hunt deer on private property within the City of Muscatine. The private property is located between the Highway 61 Bypass and Houser Street and is currently actively being farmed. Current city regulations (Title 7, Police Regulations, Chapter 4, Weapons) prohibit the discharge of firearms, which includes bow and arrows within the city limits of Muscatine. If City Council is so inclined to allow this activity to take place, would have to make an exception to the ordinance to specifically allow for this action.

At this time City Council could take action to consider the request from Steve Braasch for the purpose of bow hunting on private property within the City of Muscatine.

10. FROM THE MAYOR

A. Proclamation Declaring October as “National Breast Cancer Awareness Month” and October 25, 2003 as “Clip for the Cure Day”

B. Proclamation Declaring November 23-30, 2003 as “National Bible Week”

C. Proclamation Declaring October 20-24, 2003 as “National Business Women’s Week”

The above proclamations have been submitted for City Council’s consideration and approval.

11. FROM THE PLANNING AND ZONING COMMISSION

12. **FROM THE CITY ADMINISTRATOR**

A. First Reading of an Ordinance Amending Title 7 Police Regulations, Chapter 15 Parking Meters and Lots Section 6 On Street Meter Rates

Presented for City Council's consideration is the first reading of an ordinance amending Title 7, Police Regulations, Chapter 15, Parking Meters and Lots, Section 6, On-Street Meter Rates. Due to a recent ruling by the judicial magistrate in Muscatine, it is necessary for the city to amend its parking meter ordinance concerning parking only once in a metered stall each day in order for the city to effectively enforce the intent of this ordinance. Previously this ordinance had been amended to comply with similar judicial magistrate rulings. The proposed amendments will satisfy the concerns issued by the magistrate in order for the city to effectively enforce this section of the parking code.

At this time City Council could take action on the first reading of an ordinance amending Title 7, Police Regulations, Chapter 15, Parking Meters and Lots, Section 6, On-Street Meter Rates.

B. Resolution Approving the Assessment of Nuisance Abatement Costs

Presented for City Council's consideration is a resolution approving the assessment of nuisance abatement costs. Periodically the City Council reviews assessments against particular properties for abatement of nuisances. The city staff is forwarding four specific incidences that occurred earlier this year for nuisance abatements.

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

C. Resolution Approving Contract and Bond for the Airport Terminal Building Project

Presented for City Council's consideration is a resolution approving the contract and bond for the Airport Terminal Building Project. Previously the City Council took action to approve the contract between the City of Muscatine and Bi-State Contracting Inc. of Burlington, Iowa, for the terminal building project in the amount of \$760,743. The contract and bond have been submitted for review by city staff and have met all the requirements at this time.

At this time City Council could take action by resolution approving the contract and bond between the City of Muscatine and Bi-State Contracting Inc. for the Airport Terminal Building Project.

D. Request Approval of Amendments to the Employee Handbook

Presented for City Council's consideration is a request to approve the amendments to the employee handbook. Previously the Council reviewed with staff proposed changes in the Human Resources' employee handbook. One change has been made since the presentation at last week's in-depth meeting, which is to specify "municipal elections" and prohibited employee actions dealing with partisan politics. Following approval by City Council, the handbook will be republished and distributed to the affected employees.

At this time City Council could take action to approve amendments to the employee handbook for the City of Muscatine.

E. Request to Approve the City's Fiscal Year 2002/2003 Budget-Basis Financial Report and Authorize Filing with the State Auditor's Office

Presented for City Council's consideration is a request to approve the city's fiscal year 2002/2003 budget-basis financial report and authorize it be filed with the State Auditor's Office. At last week's in-depth meeting, the City Council received an update and presentation concerning the fiscal year 2002/2003 budget-basis financial report from city staff. The report outlined the review of expenditures and revenues from all city activities for that fiscal year. The next step in the process is for the Council to authorize the financial report to be submitted to the State of Iowa as required by Iowa law.

At this time City Council could take action to approve the city's fiscal year 2002/2003 budget-basis financial report and authorize its filing with the State Auditor's office.

F. Request to Approve Right-of-Way Acquisition Contract in Association with E. 5th Street Bridge Project

Presented for City Council's consideration is a request to approve the right-of-way acquisition contract in association with the E. 5th Street Bridge Project. In anticipation of the E. 5th Street Bridge Project, the city has been acquiring additional right-of-way adjacent to the bridge structure. Three parcels have already been acquired and two remain to be purchased. The city has been engaged in negotiations with Weikert's Iron & Scrap for some time to acquire the property adjacent to 5th Street. The city will be compensating the Weikert's for the real estate on E. 5th Street, approximately 1.5 acres, and assisting in relocation expenses for the business to transition to a leased site identified by the city. Total compensation for the property will be \$53,800.

At this time City Council could take action to approve the right-of-way acquisition contract in association with the E. 5th Street Bridge Project between the City of Muscatine and Weikert's Iron & Scrap Metal.

G. Request Approval to Declare Certain Weapons as Surplus Property

Presented for City Council's consideration is a request to declare certain weapons as surplus property. The city's Police Department has identified five weapons that are no longer of use to the department and have trade-in value toward the purchase of two new weapons for the department's tactical operations. If approved by Council, the transaction would be between the city and a federally licensed firearms dealer who would be responsible for the appropriate disposal of the weapons. The city will be receiving a total trade-in value of \$500 for the weapons.

At this time City Council could take action to declare the weapons as surplus property and to permit their value (\$500) to be used as part of a purchase price for new weapons.

H. Request Approval from Muscatine Power & Water for Utility Easement on Public Property

Presented for City Council's consideration is a request from Muscatine Power & Water for a utility easement on public property. The city has received a request from Muscatine Power & Water for a 20' wide utility easement through the east edge of McKee Park. The utility easement would be used for the extension of water service for economic development purposes. The city's Recreation Advisory Commission has reviewed and approved this request as well.

At this time City Council could take action to approve the request from Muscatine Power & Water for a utility easement on public property.

I. Request Approval of Traffic Item

Presented for City Council's consideration is a request to approve a traffic item involving the removal of the traffic signals at 2nd and Cedar streets. Previously the Council authorized the implementation of the flashing red signals at this intersection in conjunction with the sidewalk rehabilitation project on 2nd Street. The Traffic Committee is making a further recommendation for the complete removal of the traffic signal at this intersection to be replaced with stop signs.

At this time City Council could take action to approve the removal of the traffic signal at 2nd and Cedar Streets to be replaced with the appropriate stop signs.

J. Request to Approve Expenditure for Community Art Project

Presented for City Council's consideration is a request to approve an expenditure of up to \$3,500 by the Community Art Subcommittee of the Pearl of the Mississippi Team. At last week's in-depth meeting, a presentation was made concerning the acquisition of community art for the Muscatine riverfront.

Contained in that presentation was a request for the expenditure of up to \$3,500 for the construction of a model to be used in fund raising for the piece. Funding for the project will be taken from the monies set aside for the Pearl of the Mississippi Project designated for community art.

At this time City Council could take action to authorize the request from the Community Art Subcommittee of the Pearl of the Mississippi Implementation Team to expend up to \$3,500 for the construction of the model for the future community art piece.

K. Request Authorization to Purchase Property

Presented for City Council's consideration is a request for the authorization to finalize the purchase of the Hawkeye Lumber site on behalf of the City of Muscatine. The price for acquisition, which includes demolition, will be \$418,250. Previously the City Council authorized the establishment of the expanded urban renewal and TIF district in the downtown that will provide funding for this project. The completion of this arrangement is subject to a Phase I environmental assessment.

At this time City Council could take action to authorize the purchase of the Hawkeye Lumber site in the amount of \$418,250 pending completion of the Phase I environmental assessment.

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – September 22 & 29, 2003
- B. Board of Water, Electric and Communications Trustees – August 26, 2003
- C. Art Center Board of Trustees – September 18, 2003
- D. Planning & Zoning Commission – September 9, 2003
- E. City of Muscatine Financial Reports – September 2003

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,235,505.22 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