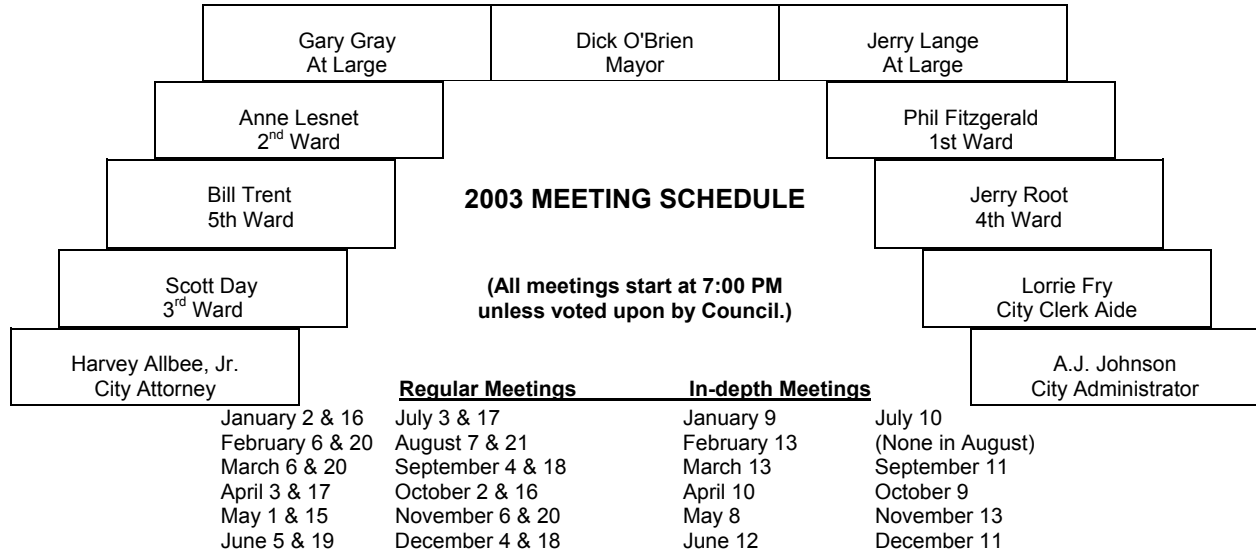


MUSCATINE CITY COUNCIL



AGENDA

**THURSDAY, NOVEMBER 6, 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 16,2003
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-D
- * 13 – A-M
- * Bills*

*Approval of attached Bills for Approval totaling \$1,596,112.08, as well as receipt summaries for September 2003, is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

A. Proposed Northeast Urban Renewal Area

Previously the City Council took action to establish a public hearing to receive public comment on the proposed Northeast Urban Renewal Area. The City of Muscatine and Cedar Development, LLC, have entered into a pre-annexation agreement to voluntarily annex 105 acres to the east of the city’s boundary and to rezone the real estate to an S-3 mixed use development. In addition, the city has agreed to designate the area as an urban renewal district so that installation of public infrastructure will be eligible for tax increment financing. The first two provisions of the agreement have been accomplished and it is now necessary for the City Council to move forward with the establishment of an urban renewal area. Prior to that, a public hearing must be held to receive public comment.

Now is the time for the public to comment on the proposed establishment of the Northeast Urban Renewal Area.

9. PETITIONS AND COMMUNICATIONS

- A. Request on second reading for a new Class C Beer and B Wine Permit for Aldi Store #05, 1820 Park Avenue – Aldi Inc.
- B. Request for renewal of a Class C Beer and Sunday Sales Permit for Muscatine Citgo Fast Break, 2603 2nd Avenue – Reif Oil Co.
- C. Request for renewal of a Class C Liquor License for Missipi Brewing Co., 107 Iowa Avenue – R&D Operations Ltd. (pending inspections)
- D. Request for renewal of a Class C Liquor License and Sunday Sales Permit for Terri’s Hid-A-Way, 131 W. 2nd Street
- E. Request from GDMA for Use of City Property for the Holiday Stroll

Presented for City Council’s consideration is a request from the Greater Downtown Muscatine Association for the use of city property for the Holiday Stroll. The GDMA has requested the use of 2nd Street from Mulberry Avenue to Pine Street and all cross streets from the #1 and #2 alleys. The request also is that 2nd Street be closed from Chestnut to Pine streets during the entire day to

prepare for the event as well as the city parking lot at 2nd and Pine streets. The date of this year's Holiday Stroll will be Friday, December 5, 2003, with the street closing beginning at 4:00 p.m. and reopening at 11:00 p.m. This year's activities include various displays and scenes in merchants' windows as well as carriage rides in the area.

At this time City Council could take action to approve the request from the GDMA for the closure of 2nd Street and appropriate cross streets from Mulberry Avenue to Pine Street from 4:00 to 11:00 p.m. on Friday, December 5, 2003, for the annual Holiday Stroll.

10. FROM THE MAYOR

- A. Proclamation Declaring November as "Adoption Awareness Month" in the City of Muscatine

The above proclamation has been submitted for City Council's consideration and approval.

- B. Certificate of Recognition for the Muscatine Humane Society

The above Certificate of Recognition for the Muscatine Humane Society has been submitted for City Council's consideration and approval.

- C. Appointment of Ann Bahn to the Planning & Zoning Commission

At this time City Council could take action to approve the appointment of Ann Bahn to the Planning & Zoning Commission.

11. FROM THE PLANNING AND ZONING COMMISSION

- A. Request Approval of Convenience Store Site Plan as Submitted by Dovetail Development

Presented for City Council's consideration is a request to approve a convenience store site plan as submitted by Dovetail Development. Approximately 120 acres in the vicinity of Mulberry Avenue, Tipton Road and the Highway 61 Bypass has been rezoned to the S-3 mixed used development district. This included predominantly residential development with some neighborhood type commercial development along Mulberry Avenue near the Bypass. The city's Planning & Zoning Commission has recently reviewed and approved a site plan along Mulberry Avenue for the development of a 3,600 square foot convenience store with gas pumps and a car wash bay on a 2.15-acre site between Steamboat Way and the Highway 61 Bypass. The grading, landscaping and site plans were included in the Commission's review for this new facility. This matter was approved by the Commission at their October 14, 2003 meeting and is being presented for City Council's consideration at this time.

At this time City Council could take action to approve the convenience store site plan as submitted by Dovetail Development.

12. FROM THE CITY ADMINISTRATOR

A. Second 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 second 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 in order for the city to effectively enforce the intent of this ordinance. The proposed amendment will satisfy the concern issued by the magistrate in order for the city to enforce this section of the parking code.

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

B. Resolution Approving the Northeast Urban Renewal Area

Presented for City Council's consideration is a resolution approving the Northeast Urban Renewal Area. Previously a public hearing was held to receive public comment on the proposed Northeast Urban Renewal Area. This area includes approximately 105 acres of real estate that has recently been annexed to the city and rezoned to the S-3 mixed-use development district. With the approval of the Northeast Urban Renewal Area, the city will be able to finalize the negotiations for the development plan for the area that will utilize tax increment finance funding to assist in the installation of public infrastructure for the commercial, retail and light industrial components of the development plan.

At this time City Council could take action by resolution to approve the Northeast Urban Renewal Area.

C. Resolution Approving the Implementation of Lease Amendment for Public Housing Leases

Presented for City Council's consideration is a resolution approving the implementation of a lease amendment for public housing leases. The Department of Housing and Urban Development requires that residents of public housing properties perform a limited amount of community service work during the duration of their residency. Exceptions include persons that are over the age of 62, legally disabled, working at regular employment or going to school. In order to better clarify this requirement for prospective clients, it is being

requested that City Council approve this lease amendment.

At this time City Council could take action by resolution to implement a lease amendment for the public housing leases.

D. Resolution Setting the Time and Place of a Public Hearing for the Lease of City Right-of-Way at 107 Roscoe Avenue

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for the lease of city right-of-way at 107 Roscoe Avenue. There are provisions within the City Code that allow for the lease of public right-of-way for leased parking. The individual requesting the lease must demonstrate that they have no off-street parking or access to on street parking in front of their residence. Prior to any formal arrangement for parking, a public hearing must be held.

At this time City Council could take action by resolution establishing a public hearing for Thursday, November 20, 2003, at 7:00 p.m. regarding the lease of city right-of-way for the purpose of parking a vehicle.

E. Resolution Setting the Time and Place of a Public Hearing for the Lease of City Right-of-Way at 715 Iowa Avenue

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for the lease of city right-of-way at 715 Iowa Avenue. There are provisions within the City Code that allow for the lease of public right-of-way for leased parking. The individual requesting the lease must demonstrate that they have no off-street parking or access to on street parking in front of their residence. Prior to any formal arrangement for parking, a public hearing must be held.

At this time City Council could take action by resolution establishing a public hearing for Thursday, November 20, 2003, at 7:00 p.m. regarding the lease of city right-of-way for the purpose of parking a vehicle.

F. Resolution Authorizing the Mayor to Sign a Subordination Agreement

Presented for City Council's consideration is a resolution authorizing the mayor to sign a subordination agreement. Under the City of Muscatine's 2000 Housing Fund Rehabilitation Program, the city provided a \$24,999 five-year forgivable loan to Mario and Arminda Rocha at 619 Oak Street. Each year 20% of the loan is forgiven so that at the end of the five-year period the entire loan is forgiven and the mortgage released. The couple now wishes to refinance the property that would require the city to take a subordinate agreement on the refinancing efforts. In addition, it is requested that the city release 20% of the original mortgage. The first year of the program has been successfully completed which would make the 20% requested eligible for release.

At this time City Council could take action by resolution authorizing the mayor to sign a subordination agreement for 619 Oak Street.

G. Resolution Releasing a Portion of Real Estate Under the Community Development Block Grant Residential Rehabilitation Program

Presented for City Council's consideration is a resolution releasing a portion of a real estate mortgage under the Community Development Block Grant Residential Rehabilitation Program. Previously the Council took action to consider accepting a subordination agreement for the residents of 619 Oak Street to refinance their property. To accompany that request, the couple is also asking the Council to release a portion of the real estate mortgage under the program that was initiated in 2002. The program was set up as a five-year forgivable loan period and at this time, the first year of the program has been satisfied.

At this time City Council could take action by resolution releasing a portion of the real estate mortgage under the Community Development Block Grant Residential Rehabilitation Program.

H. Resolution Awarding the Contract for the Art Center Exterior Restoration Project

Presented for City Council's consideration is a resolution awarding the contract for the Art Center Exterior Restoration Project. The city solicited bids for the restoration project previously approved by City Council. Three bids were submitted for the project with the lowest responsible bid being that of E&H Restoration of Davenport in the amount of \$71,864. Restoration work includes cleaning, repairing and repointing masonry and sealing stonework, painting trim and reglazing windows, replacing rotted wood and replacing 76 storm windows.

At this time City Council could take action by resolution awarding the contract for the Art Center Exterior Restoration Project to E&H Restoration, LLC, in the amount of \$71,864.

I. Resolution Supporting the Rehabilitation of the Welch Apartments

Presented for City Council's consideration is a resolution supporting the rehabilitation of the Welch Apartments. The city has been approached by Chris Ales of Signature Holding Company of Davenport for a Letter of Support for his proposed rehabilitation of the Welch Apartments. The intent is to develop 22 elderly residential units on the upper floors of the structure with commercial space on the ground floor. To finance this project, an application will be submitted to the Iowa Finance Authority for a low-income housing tax credit. The requested Letter of Support will be one of many documents that will be submitted in the packet to enhance the application process. At this time the parking issue is still being evaluated and no action is being requested on real estate transfers between the city and the Welch Apartments to provide parking.

At this time City Council could take action by resolution supporting the rehabilitation of the Welch Apartments in the City of Muscatine.

J. Resolution Authorizing the Purchase of Furniture for the Clark House

Presented for City Council's consideration is a resolution authorizing the purchase of replacement furnishings for the Clark House commons area. Funds have been provided in the public housing capital fund account for replacement furniture. Bids were solicited with a local bid from Boss Office Equipment in the amount of \$13,503 being submitted for City Council's consideration.

At this time City Council could take action by resolution authorizing the purchase of furniture for the common areas at the Clark House from Boss Office Equipment in the amount of \$13,503.

K. Request Approval to Accept Conveyance of a Permanent Avigation Easement from the IDOT

Presented for City Council's consideration is a request to approve the acceptance conveyance of a permanent avigation easement from the IDOT. In conjunction with the installation of the ILS system at the airport, it is necessary to acquire additional real estate in fee and obtain easement rights. The city has been negotiating with the IDOT to obtain avigation easements for the runway protection zone located between Highway 61 and the end of the primary runway (RW24). The FAA has reviewed and approved the transaction and will provide 90% of the funding. Total cost of the easements will be approximately \$29,500.

At this time City Council could take action to approve the acceptance of a conveyance of a permanent avigation easement from the IDOT to the City of Muscatine.

L. Request Approval to Purchase Mowers for the Municipal Golf Course

Presented for City Council's consideration is a request to approve the purchase of mowers for the Municipal Golf Course. Included in this year's budget are two mowers to be used at the golf course for the fairway and tees. For the fairway mower, two bids were received with the lowest responsible bid being that of Tri-State Company of Bettendorf with the net price of \$24,995. Two bids were also received for the tee mower with the lowest responsible bid being that of Tri-State Company of Bettendorf with the net price of \$16,950. Both bids are under the estimated cost for the replacement of the mowers.

At this time City Council could take action to approve the purchase of mowers from the Municipal Golf Course from Tri-State Company for a fairway mower at a net price of \$24,995 and a tee mower for the next price of \$16,950.

M. Request Authorization to Purchase a Dump Truck Body & Chassis

Presented for City Council's consideration is a request for authorization to purchase a dump truck body and chassis. Monies were included in the 2003/2004 budget for the replacement of one truck for the Public Works division. Bids were solicited with five bids received for the 32,000 lb. GVW truck. The lowest responsible bid was that from Truck Country of the Quad Cities in the net amount of \$38,627. In addition, the city received three bids for a dump body for the truck with the lowest net bid being submitted by Henderson Manufacturing in the amount of \$40,947. The total cost for the vehicle will be \$79,574 with \$80,600 budgeted for the purchase.

At this time City Council could take action to approve the request for the purchase of a 32,000 lb. GVW truck from Truck Country in the net amount of \$38,627 and the purchase of a dump body from Henderson Manufacturing in the net amount of \$40,947 for a total price of \$79,574.

N. Request Authorization to Purchase Snowplows

Presented for City Council's consideration is a request for authorization to purchase snowplows. The city received four bids for one 10' two-way snowplow and one 11' two-way snowplow. After a review of the bids submitted, the bid from Henderson Truck Equipment in the amount of \$12,737 for both plows is being recommended. There was \$14,500 budgeted for this activity.

At this time City Council could take action to approve the authorization to purchase snowplows from Henderson Truck Equipment in the amount of \$12,737.

O. Request Authorization to Purchase and Install SCADA Network Attached File Server and Upgrade of Wonderware Operating Software Licenses at the Water Pollution Control Plant

Presented for City Council's consideration is a request to purchase and install a SCADA network attached file server and upgrade of Wonderware operating software licenses at the Water Pollution Control Plant. Monies were included in the fiscal year 2003/2004 budget for this project. Working with the company that has previously supplied this software, the cost of the upgrade will be \$26,941. There was \$27,100 budgeted. In addition, a request is being made for the installation of the SCADA alarm package software in the amount of \$15,428. There was \$23,500 budgeted for this activity.

At this time City Council could take action to authorize the issuance of a purchase order to U.S. Filter Control Systems in the amount of \$26,941 for the upgrade of the software for the network file server at the Water Pollution Control Plant and for \$15,428 for the redundant SCADA alarm software.

P. Resolution Approving Contract and Bond for the Airport Terminal Replacement Project

Presented for City Council's consideration is a resolution approving the contract and bond for the Muscatine Airport Terminal Project. All appropriate documents have been submitted and reviewed by city staff and meet all the requirements necessary for approval.

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

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – October 6, 13 & 20, 2003
- B. Muscatine School Board – October 13 & 27, 2003
- C. Library Board of Trustees – September 17, 2003
- D. Zoning Board of Adjustment – October 7, 2003
- E. Art Center Board of Trustees – October 16, 2003
- F. Bi-State Regional Commission – September 24, 2003
- G. Airport Advisory Commission – June 23, 2003 & September 22, 2003
- H. Senior Resources – September 23, 2003
- I. Police Department Monthly Report – September 2003
- J. MP&W Monthly Reports – Water Utility – September 2003
- K. MP&W Monthly Reports – Communications Utility – September 2003
- L. MP&W Monthly Reports – Electric Utility – September 2003
- M. MP&W Year-to-Date Operating Statements – September 30, 2003

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,596,112.08, as well as receipt summaries for the month of September 2003, 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