

MUSCATINE CITY COUNCIL

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

AGENDA

**THURSDAY, DECEMBER 18, 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**

A. Swearing In of Mayor O'Brien and Councilmembers Trent, Fitzgerald, Day and Shihadeh

At this time Mayor Dick O'Brien and Councilmembers Bill Trent, Phil Fitzgerald, Scott Day and Councilmember-Elect Osama Shihadeh will be sworn in to office for terms effective January 1, 2004.

6. **MINUTES - APPROVAL**

- A. Regular City Council Meeting – December 4, 2003
- B. In-Depth City Council Meeting – December 11, 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-F
- * Bills*

*Approval of attached Bills for Approval totaling \$1,250,432.66 is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Utility Easement for Cobblestone Place – Part I

Previously the City Council took action to establish a public hearing for a proposed utility easement for Cobblestone Place – Part I. The owners of real estate north of Colorado Street plotted a four-lot subdivision known as Cobblestone Place – Part I in 1996. The developer intends to replat this area for single-family homes. The flexibility associated with this type of development warrants the vacation of existing but underdeveloped street right-of-way and perimeter utility easements. Prior to any formal action being taken on this matter, a public hearing is required.

Now is the time for the public to comment on the proposed utility easement for Cobblestone Place – Part I.

B. Proposed Concession Agreement

Previously the City Council took action to establish a public hearing on the proposed concession agreement between the City of Muscatine and Big 10 Concessions for a five-year time period. The concession agreement would run for five years beginning January 1, 2004 and ending December 31, 2008. The concession services would be for concession locations at Kent Stein Park, the Muscatine Soccer Complex, and the new aquatic center currently under construction. The agreement calls for the concession owner to provide for the services as directed by the city, supplying labor, concessions, and supervisory staff for all three locations. In return the city will receive 20% of the gross receipts for each of the five years. Because of the proposed length of the contract for services, a public hearing is required.

Now is the time for the public to comment on the proposed five-year concession agreement between the City of Muscatine and Big 10 Concessions.

9. PETITIONS AND COMMUNICATIONS

- A. Request for renewal of a Class C & BW Beer & Wine Permit for Fareway Store #998, 2100 Cedar Plaza Drive – Fareway Stores Inc.
- B. Request Approval of Burn Permit

Presented for City Council's consideration is a request that the city has received from Larry Duvall, 116 Lord Avenue. Mr. Duvall is requesting a joint burn permit for himself and his neighbor, Jeff Lee. They are requesting a 30-day permit beginning as soon as possible to accommodate a large amount of debris associated with both properties.

At this time City Council could take action to consider a request from Larry Duvall, 116 Lord Avenue, for a 30-day burn permit.

10. FROM THE MAYOR

- A. Appointment of Bob Howard to the Planning & Zoning Commission

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

11. FROM THE PLANNING AND ZONING COMMISSION

- A. Resolution Approving the Preliminary Plat for Cobblestone Ridge

Presented for City Council's consideration is a resolution approving the preliminary plat for Cobblestone Ridge. On November 11, 2003, the city's Planning & Zoning Commission reviewed and approved the Cobblestone Ridge preliminary plat (72 lots). The 72-lot preliminary plat is in conformance with the residential district of the area and would comply with single-family residential standards. An on-site storm water retention area is being provided.

At this time City Council could take action by resolution approving the preliminary plat for the Cobblestone Ridge Subdivision.

- B. Resolution Approving the Final Plat for Cobblestone Ridge – Phase I

Presented for City Council's consideration is a resolution approving the final plat for the Cobblestone 7-Lot Final Plat – Phase I. In addition to the Cobblestone 72-lot preliminary plat, it is proposed that Cobblestone Drive be extended in a northerly direction to provide access to this seven-lot subdivision. Due to previous development plans for the area, it will be necessary to vacate the platted utility easements. The developer intends to start several model homes yet this construction season and is therefore asking approval of this first phase of the

development. This matter has previously been reviewed by the city's Planning & Zoning Commission and approved for Council's consideration.

At this time City Council could take action by resolution approving the final plat of the Cobblestone Ridge – Phase I Subdivision.

12. FROM THE CITY ADMINISTRATOR

A. First Reading of an Ordinance Establishing a TIF District

Presented for City Council's consideration is the first reading of an ordinance establishing a TIF District. As part of the City of Muscatine's commitment for providing tax increment finance development incentives to Cedar Development, LLC, it is necessary to establish a tax increment finance district to comply with this agreement. Previously the city entered into an agreement to provide this incentive in exchange for the voluntary annexation of approximately 105 acres in the northeast quadrant of the community. Planned development includes retail, commercial, light industrial and a small portion for residential development. In order to provide this incentive, the TIF District must be created.

At this time City Council could take action on the first reading of an ordinance providing for the division of taxes levied on taxable property in the Northeast Urban Renewal Area of the City of Muscatine pursuant to Section 403-19 of the Code of Iowa.

B. Resolution Approving Vacation of Utility Easement in Cobblestone Place

Presented for City Council's consideration is a resolution approving the vacation of a utility easement in Cobblestone Place. Previously a public hearing was held to receive public comment on the proposed utility easement for Cobblestone Place – Part I. The original four-lot subdivision known as Cobblestone Place – Part I was created in 1996. The developers intend to replat this area for single-family homes. The flexibility associated with this type of development warrants the vacation of existing but underdeveloped street right-of-way and perimeter utility easements to fit into the current development plans.

At this time City Council could take action by resolution approving the vacation of utility easement in Cobblestone Place.

C. Resolution Setting Time and Place of a Public Hearing for a Development Agreement

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for a development agreement between the City of Muscatine and Cedar Development, LLC. As reviewed with City Council at the December In-Depth Meeting, a development agreement is being proposed between the City of Muscatine and Cedar Development, LLC, to provide tax

increment finance assistance for infrastructure development of the property. In concurrence with the city's policy concerning the use of tax increment financing, the agreement calls for the use of up to 50% of the increment to be used by the developer for infrastructural improvements on site. This will exclude any residential development activities. The agreement will also call for a provision in which the developer will have the option to implement the agreement for a 10-year period at any time during the 20-year life of the tax increment finance district. The developer will receive no more than 50% of the increment generated by the tax increment finance district for any longer than 10-year period. Prior to any formal agreement being reached by the city and Cedar Development, LLC, a public hearing is required.

At this time City Council could take action by resolution establishing a public hearing for the development agreement between the City of Muscatine and Cedar Development, LLC, for Thursday, January 8, 2004, at 7:00 p.m.

D. Request Approval of Concession Agreements

Presented for City Council's consideration is a request to approve a concession agreement. Previously the City Council conducted a public hearing to receive public comment on the proposed approval of a concession agreement between the City of Muscatine and Big 10 Concessions. The proposed agreement would be five years in length and would have the city receive 20% of the gross sales for each of the five years.

At this time City Council could take action to approve the concession agreement between the City of Muscatine and Big 10 Concessions.

E. Request Approval of Health Insurance Renewal

Presented for City Council's consideration is a request to approve the health insurance renewal. In previous communications and review sessions with Council, changes in the city's health insurance program have been provided and reviewed with City Council. Also, through the process of collective bargaining, the city has reached an agreement with two of the city's collective bargaining units for changes in the health insurance program. The changes involve raising the deductible from \$200 to \$300 for single coverage and \$400 to \$600 for family coverage. The annual out-of-pocket maximums will also be increased from \$500 to \$600 for single coverage and from \$1,000 to \$1,300 for family coverage.

At this time city Council could take action to approve the health insurance renewal policy for the calendar year 2004.

F. Request Approval of Grant Writing Service Agreement

Presented for City Council's consideration is a request to approve a grant writing service agreement. Earlier this year the City Council recognized changes in structural and organization arrangements within the city to assist in saving additional funds as reduced by the state legislature. One recommendation brought forward to Council and approved was the contracting of services for the Muscatine Police Department grant writing activities. The agreement being presented for Council at this time would be between Torgerson Associates and the City of Muscatine and would call for a specific dollar amount for the first year of the two-year agreement and then that amount being increased by a specific percentage as linked to the city's health and dental insurance costs. The agreement would be for a two-year period and would be renewed for an additional two-year period upon a mutual agreement between the city and Torgerson Associates.

At this time City Council could take action to approve the grant writing service agreement between the City of Muscatine and Torgerson Associates.

G. Request Approval of Water Main Extension Agreement

Presented for City Council's consideration is a request to approve a water main extension agreement between the City of Muscatine and Muscatine Power & Water. At the City Council's December In-Depth Meeting, the agreement was reviewed with City Council outlining the responsibilities of both parties on the proposed upcoming south end water main extension program. The agreement calls for the City of Muscatine to provide for the funding for the project and in return Muscatine Power & Water will provide for the design, construction and oversight of the project.

At this time City Council could take action to approve the request of a water main extension agreement between the City of Muscatine and Muscatine Power & Water.

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – November 24 & December 1, 2003
- B. Art Center Board of Trustees – November 20, 2003
- C. Planning & Zoning Commission – November 11, 2003
- D. Bi-State Regional Commission – November 19, 2003
- E. Fire Department NFPA Survey – July, August, September October & November 2003
- F. Police Department Monthly Report – November 2003

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,250,432.66 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