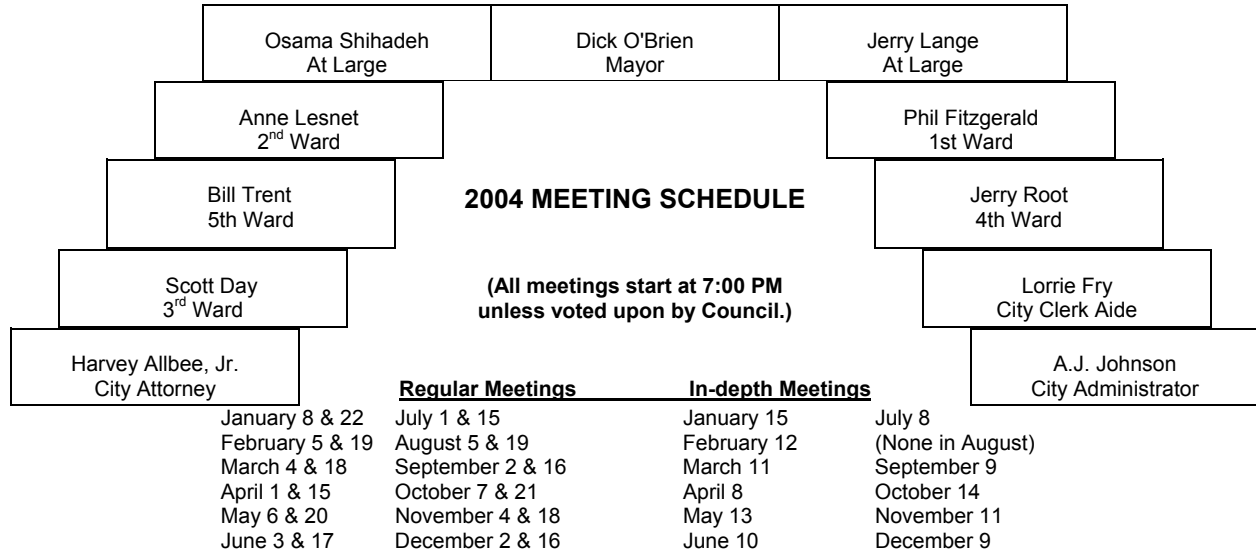


# MUSCATINE CITY COUNCIL



## AGENDA

**THURSDAY, JANUARY 8, 2004, 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 Officer Justin Allison

At this time Police Officer Justin Allison will be sworn in.

6. **MINUTES - APPROVAL**

A. Regular City Council Meeting – December 18, 2003

B. Goals & Objectives Session – December 22, 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 –
- \* 13 – A-G
- \* Bills\*

\*Approval of attached Bills for Approval totaling \$1,300,338.39 is subject to the approval of any related agenda item(s).

**8. PUBLIC HEARING**

- A. Proposed Development Agreement Between the City of Muscatine and Cedar Development, LLC

Previously the City Council took action to hold a public hearing concerning the proposed development agreement between the City of Muscatine and Cedar Development, LLC. The development agreement would allow for the city to provide a tax increment finance incentive of up to 50% for infrastructural improvements for the non-residential components of the development. 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. Prior to any formal agreement being reached by the city and Cedar Development, LLC, a public hearing must be held.

Now is the time for the public to comment on the proposed development agreement between the City of Muscatine and Cedar Development, LLC.

**9. PETITIONS AND COMMUNICATIONS**

**10. FROM THE MAYOR**

- A. Appointment of Robert Howard to the Zoning Board of Adjustment

At this time Council could take action to approve the appointment of Robert Howard to the Zoning Board of Adjustment.

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

**12. FROM THE CITY ADMINISTRATOR**

**A. Second Reading of an Ordinance Establishing a TIF District**

Presented for City Council's consideration is the second reading of an ordinance establishing a TIF District. As part of the City of Muscatine's commitment for providing tax increment financing development incentives to Cedar Development, LLC, it is necessary to establish a tax increment finance district to comply with this agreement. The planned development includes retail, commercial, light industrial, and a small portion for residential development. In order for us to provide this incentive, a TIF District must be created.

At this time City Council could take action on the second 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 Setting the Time and Place of a Public Hearing to Consider the Vacation of a Utility Easement**

Presented for City Council's consideration is a resolution setting the time and place of a public hearing to consider the vacation of a utility easement. A developer is purchasing two lots in the Cedar Plaza Subdivision and intends to construct a building straddling the lot lines. It is therefore necessary to vacate the platted utility easement to accommodate the building construction. Prior to any such action, a public hearing is required.

At this time City Council could take action by resolution setting the time and place of a public hearing upon the vacation of utility and access easements in the Cedar Plaza Subdivision for Thursday, January 22, 2004, at 7:00 p.m.

**C. Resolution Making Determination to Enter Into a Development Agreement**

Presented for City Council's consideration is a resolution making the determination to enter into a development agreement. Previously a public hearing was held on the proposed development agreement between the City of Muscatine and Cedar Development, LLC, and Council also took action on the second reading of an ordinance establishing a TIF District to allow for the incentives associated with that development agreement. This resolution presented for Council's consideration at this time is a resolution of intent that states that the city intends to enter into a development agreement with Cedar Development under the terms and conditions as previously outlined.

At this time City Council could take action by resolution making a determination to enter into a development agreement between the City of Muscatine and Cedar Development, LLC.

D. Request to Consider Master Services Agreements with JJR and Neumann Monson Architectural Services for Riverfront Projects

Presented for City Council's consideration is a request to consider a master services agreement with JJR and Neumann Monson Architectural Services for riverfront projects. As the city continues to make progress on the Pearl of the Mississippi Riverfront Improvement Projects and other public infrastructure projects associated with riverfront development, it is necessary for the Council to consider an extended service agreement between the city and the Smith Group/JJR for associated projects. Also city staff is recommending a contract for services between the City of Muscatine and Neumann Monson Architects to complete the architectural work required for the restoration of the River View Center. For Neumann Monson, the amount would be not to exceed \$58,000 for architectural services and for the Smith Group/JJR, the amount would be in an amount not to exceed \$181,400. Also included in that amount would be \$99,400 for sanitary and sewer infrastructural design and construction management services and an additional \$46,000 for optimal on-site visits as requested by the City of Muscatine.

At this time City Council could take action to authorize the City of Muscatine to enter into architectural service agreements with Smith Group/JJR in an amount not to exceed \$181,400 and with Neumann Monson Architectural Services of Iowa City in an amount not to exceed \$58,000.

E. Request from Muscatine Association of Firefighters International Association of Firefighters #1672 to Waive March 15, 2004 Completion Date for Impasse Agreement

Presented for City Council's consideration is a request from the Muscatine Association of Firefighters International Association of Firefighters #1672 to waive the March 15, 2004 completion date for impasse agreement. Late in 2003 the City Council took action to approve a similar agreement with the city's other two labor unions and is now being asked to approve this agreement with the local Firefighters Association. By doing so, the parties mutually waive the March 15, 2004 completion date for the impasse procedures and allow for the city and the International Association of Firefighters Local #1672 to address labor negotiations at a mutually agreed upon schedule.

At this time City Council could take action to approve the independent impasse agreement between the Muscatine Association of Firefighters International Association of Firefighters #1672 and the City of Muscatine.

F. Request to Change Position Title

Presented for City Council's consideration is a request to change a position title from that of Human Resources Coordinator to Human Resources Manager. This change is being requested to recognize the nature of the position and the

responsibilities it hold within the city's organization. There will not be any job changes in the job duties, responsibilities or pay classification.

At this time City Council could take action to approve the Human Resources Coordinator job title change to Human Resources Manager.

G. Request to Accept Property

Presented for City Council's consideration is a request to accept property. In order to facilitate future improvements at the corner of Hershey Avenue and Main Street as well as Hershey Avenue and Green Street, city staff has solicited the interest of a private organization to donate properties to the City of Muscatine for that purpose. The organization, Muscatine and Beyond 2000, has agreed to donate two properties to the City of Muscatine for this purpose. The two properties involved are located at 1209 Hershey Avenue and 1043 Hershey Avenue.

At this time City Council could take action to accept the donation of property to the City of Muscatine.

**13. COMMUNICATIONS - RECEIVE AND FILE**

- A. Muscatine County Board of Supervisors – December 8 & 15, 2003
- B. Library Board of Trustees – November 19, 2003
- C. Muscatine School Board – December 8, 2003
- D. Board of Water, Electric, and Communications Trustees – November 19, 2003
- E. MP&W Operating Statements – Electric Utility – November 2003
- F. MP&W Operating Statements – Water Utility – November 2003
- G. MP&W Operating Statements – Communications Utility – November 2003

**14. APPROVAL OF BILLS**

It is recommended bills totaling \$1,300,338.39 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**

- A. Request Approval to go Into Closed Session to Discuss Labor Negotiations Strategy

**17. ADJOURNMENT**