MUSCATINE CITY COUNCIL

Osama Shihadeh At Large	Dick O'Brien Mayor	Jerry Lange At Large
Anne Lesnet 2nd Ward		Phil Fitzgerald 1st Ward
Bill Trent 5th Ward		Jerry Root 4th Ward
Scott Day 3rd Ward		Lorrie Fry City Clerk Aide
Harvey Allbee, Jr. City Attorney		A.J. Johnson City Administrator

2004 MEETING SCHEDULE

(All meetings start at 7:00 PM unless voted upon by Council.)

Regular Meetings		In-depth Meetings	
January 8 & 22	July 1 & 15	January 15	July 8
February 5 & 19	August 5 & 19	February 12	(None in August)
March 4 & 18	September 2 & 16	March 11	September 9
April 1 & 15	October 7 & 21	April 8	October 14
May 6 & 20	November 4 & 18	May 13	November 11
June 3 & 17	December 2 & 16	June 10	December 9

AGENDA

THURSDAY, APRIL 15, 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**

6. **MINUTES - APPROVAL**

   A. Regular City Council Meeting – April 1, 2004
   B. In-Depth City Council Meeting – April 8, 2004

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-C
* 13 – A-J
* Bills*

*Approval of attached Bills for Approval totaling $946,338.63 is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

A. Proposed Declaration of City Property as Surplus

Previously the City Council took action to establish a public hearing to declare city property as surplus. The city has received a request from John Timm who owns property adjacent to a remnant parcel owned by the city on E. 6th Street between Spring and Poplar streets. If both properties are combined, it will result in a property equaling 60' x 140', which will result in a buildable lot. Prior to any formal action by the City Council to declare this property as surplus, a public hearing must be held.

Now is the time for the public to comment on the proposed vacation of city property located on the west half of Lot 9, Block 107 of the Original Town of Muscatine, in the general vicinity of E. 6th Street between Poplar and Spring streets.

B. Proposed Riverfront Improvements

Previously the City Council took action to establish a public hearing for consideration of riverfront improvements. Under the Pearl of the Mississippi Project as well as anticipated sanitary improvements, city staff will be preparing the plans, specifications, form of contract, and establishing a bid opening date for the construction of the riverfront development projects and sanitary sewer replacement. Included as part of the Pearl of the Mississippi Projects, the city will be relocating the existing boat launch, making parking lot improvements, trail extension with lighting improvements, public utility improvements, and the replacement of the stationary breakwater with a floating breakwater in the harbor. Prior to any formal action by City Council on these projects, a public hearing is necessary.

Now is the time for the public to comment on the proposed riverfront improvements.

9. PETITIONS AND COMMUNICATIONS

A. Request on second reading for a new Class “C” Liquor License and Sunday Sales Permit for The Fiesta, 1919 Grandview Avenue – The Fiesta Inc. (pending receipt of dram shop insurance and fire inspections)

B. Request for renewal of a Class “C” Liquor License for Mike’s Hilltop Tap, 929 Lucas Street – Mike’s Hilltop Tap Inc. (pending receipt of dram shop insurance)

C. Request for renewal on a Class “B” Beer and Sunday Sales Permit for Pizza Hut of Muscatine, 2512 Park Avenue – Pizza Hut of Muscatine Inc.

D. Hyink’s Service Center – Cigarette Permit Suspension

Recently the City of Muscatine received notification from the Iowa Attorney General’s Office of required action against Hyink’s Service Center for their second conviction of illegal sale of cigarettes to minors. As a result of a second conviction of such an offense, Hyink’s Service Center agreed to a 30-day suspension of their permit to sell cigarettes. As requested by the Iowa Attorney General’s Office, the City Council is requested to authorize the Mayor to sign an order to suspend the cigarette license at this location.

At this time City Council could take action to authorize the Mayor to sign an Order to Suspend Cigarette Sales License for Hyink’s Service Center for a 30-day period.

10. FROM THE MAYOR

A. Resolution of Appreciation for Senator Richard Drake

At this time City Council could take action to approve the Resolution of Appreciation for Senator Richard Drake.

B. Proclamation Declaring April 30, 2004 as “Arbor Day”

C. Proclamation Declaring April 20, 2004 as “Equal Pay Day”

At this time City Council could take action to approve the above proclamations.

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

A. Resolution Authorizing the Issuance of $420,000 Urban Renewal Tax Increment Revenue Bonds – Hawkeye Lumber Acquisition

Presented for City Council’s consideration is a resolution authorizing the issuance of two $420,000 Urban Renewal Tax Increment Revenue Bonds for the Hawkeye Lumber acquisition. The city has recently concluded its acquisition of the former Hawkeye Lumber site to assist the city in riverfront redevelopment efforts. Prior to the acquisition of the site, the City Council determined that proceeds from a downtown tax increment financing district would be utilized to pay for the property and related improvements. Under the direction of the bond counsel, the city did take action to negotiate the private sale of tax increment financing debt with the three local lending institutions. The subsequent action required by bond counsel at this time would be for the authorization of the issuance of the $420,000 of Urban Renewal Tax Increment Revenue Bonds for this acquisition.

At this time City Council could take action by resolution authorizing the issuance of $420,000 of Urban Renewal Tax Increment Revenue Bonds to finalize the acquisition of the Hawkeye Lumber property.

B. Resolution Authorizing 2004-2005 Public Housing Agency Plan Required by HUD

Presented for City Council's consideration is a resolution authorizing the 2004-2005 Updated Public Housing Agency Plan as required by the Department of Housing and Urban Development (HUD). At City Council's April In-Depth meeting, a presentation was given from city staff concerning the Plan and modifications contained therein. The City Council of Muscatine also serves as the Public Housing Agency and is thereby required by HUD to formally adopt the plan that was submitted previously for review.

At this time City Council could take action by resolution authorizing the 2004-2005 Public Housing Agency Plan.

C. Resolution Authorizing Issuance of Purchase Order for a John Deere Tractor to use at Sunset Park Apartments

Presented for City Council's consideration is a resolution authorizing the issuance of a purchase order for a John Deere tractor for Sunset Park. City staff solicited bids from three vendors for the replacement of this piece of equipment at Sunset Park. The lowest responsible bid was received from Muscatine Farm Equipment in the amount of $22,888. There was $30,000 budgeted in the public housing capital fund for the fiscal year 2004/2005. The equipment will be purchased in the next fiscal year.

At this time City Council could take action by resolution accepting the bid from Muscatine Farm Equipment in the amount of $22,888 for a John Deere tractor for Sunset Park.

D. Resolution Approving to Declare City Real Estate as Surplus Property

Presented for City Council's consideration is a resolution declaring city real estate as surplus property. Previously the City Council conducted a public hearing on the proposed declaration of property as surplus. The property, located on E. 6th Street between Spring and Poplar streets, is legally described as the west half of Lot 9, Block 107 of the Original Town. The adjoining property owner had requested the declaration of surplus in order to acquire the property to make it a buildable lot. Following the declaration of surplus property, the city will advertise the property as available for sale.

At this time City Council could take action by resolution to declare city real estate as surplus property.

E. Resolution Approving the Plans, Specifications, Form of Contract & Establishing a Bid Opening Date for the Riverfront Development Projects

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract and establishing a bid opening date for the riverfront development projects. Previously a public hearing was held to receive public comment on the proposed improvements associated with the Pearl of the Mississippi Project as well as the construction of the replacement of a sewer interceptor on the riverfront. Overall, the plans call for the relocation of the current boat ramp facility on the riverfront, the construction of a new adjoining parking lot, the relocation of an existing frontage road to service this area, the replacement of a permanent breakwater with a floating breakwater wall on the harbor, relocation and establishment of various utilities, and the replacement of the current sewer interceptor from the Mad Creek Lift Station to the Papoose Lift Station. The bid opening date will be established for May 14, 2004 at 2:05 p.m.

At this time City Council could take action by resolution approving the plans, specifications, form of contract and establishing a bid opening date for the construction of riverfront development projects.

F. Resolution Accepting the Completed Work for the West 7th Street Sewer Replacement Project and Authorizing Final Payment

Presented for City Council's consideration is a resolution accepting the completed work for the W. 7th Street Sewer Replacement Project and authorizing final payment. As part of the city's 1% sales tax sanitary and storm sewer improvement program, the Council had previously authorized the replacement of the W. 7th Street sewer. The bid price accepted from Sulzberger Excavating at the time was $72,981.50 with the actual cost being $62,698.21, resulting in a savings of $10,283.29. The work has been completed and inspected by the city's engineering representatives and is recommended for acceptance at this time. In addition, final payment will be made to Sulzberger Excavating in the amount of $4,212.92.

At this time City Council could take action by resolution accepting the completed work performed under the W. 7th Street Sewer Replacement Project and Authoring Final Payment.

G. Resolution Accepting Low Bid for Muscatine Owner-Occupied Housing Rehabilitation Program – 1119 E. 8th Street

Presented for City Council's consideration is a resolution accepting the low bid for the Muscatine Owner-Occupied Housing Rehabilitation Program for 1119 E. 8th Street. As part of the city's participation in the CDBG Housing Rehabilitation Program, the residents at 1119 E. 8th Street were eligible to participate. Bids were received on April 7, 2004, with three bids being submitted. The low bid was submitted by Carver Construction Company in the amount of $28,194.90. The city's estimate for the project was $32,486.25. The grant agreement allows for funding of $24,999 for each housing rehabilitation action. In addition, funding is available for lead-based paint control for each eligible residence.

At this time City Council could take action by resolution accepting the low bid for the Muscatine Owner-Occupied Housing Rehabilitation Program for 1119 E. 8th Street and awarding the bid to Carver Construction in the amount of $28,194.90.

H. Resolution Approving the Corrected Contract for the Airport Terminal Replacement Project

Presented for City Council's consideration is a resolution approving the corrected contract for the Airport Terminal Replacement Project. On November 6, 2003, the City Council took action to approve the contract for the Airport Terminal Building Project in the amount of $760,743. After further review of the contract documents, a corrected amount has been submitted for Council's reauthorization in the amount of $745,581, resulting in a reduction of $15,162. Items that were shown on the original bid document for information purposes were included in the bid analysis at that time. Upon further review, those items, which were priced separately, were already included in the base bid.

At this time City Council could take action by resolution approving the corrected contract for the Airport Terminal Replacement Project between the City of Muscatine and Bi-State Contracting of Burlington, Iowa, in the amount of $745,581.

I. Request Approval to Close Mississippi Drive Between Cedar Street and Iowa Avenue for Great River Days

Presented for City Council's consideration is a request to close Mississippi Drive between Cedar Street and Iowa Avenue for Great River Days. The city has received a request from the Muscatine Quarterback Club who will be sponsoring this year's Great River Days activities for the closure of Mississippi Drive from Iowa Avenue to Cedar Street to facilitate this event. The closure would take place beginning at 6:00 a.m. on July 26, 2004 and would end at 6:00 p.m. on August 1, 2004. The city in the past has worked with the IDOT on the closure of this portion of Mississippi Drive to facilitate Great River Days due to high water conditions on the riverfront. As a condition of the closing of this portion of the U.S. Business 61 Highway, the city is required to provide an alternate transportation route for vehicles that normally travel this route. The detour route has been established utilizing E. 3rd Street, E. 5th Street, and Mulberry Avenue.

At this time City Council could take action to approve a request to the Iowa Department of Transportation to close Mississippi Drive between Cedar Street and Iowa Avenue for Great River Days beginning July 26, 2004 and ending August 1, 2004.

J. Request to Approve Change Orders 1, 2 and 3 for the Airport Terminal Building Project

Presented for City Council's consideration is a request to approve Change Orders 1, 2 and 3 for the Airport Terminal Building Project. The three change orders submitted at this time are for additional work at the airport not originally included in the bid document. They include asbestos removal in the amount of $3,432, airport communication relocation in the amount of $24,182, and finally asbestos inspection ($700), roof vents ($2,125), and relocation of weather cable and hookup activities at temporary trailer ($1,450) for a total change order of $4,275. In all, the three change orders equal $31,689. In accordance with city policies, the changes have already occurred but it is necessary for City Council to take action after the fact to approve them.

At this time City Council could take action to approve Change Orders 1-3 for the Airport Terminal Building Project.

13. COMMUNICATIONS - RECEIVE AND FILE

A. Muscatine County Board of Supervisors – March 22 & 29, 2004
B. Muscatine School Board – March 22, 2004
C. Zoning Board of Adjustment – February 3, 2004
D. Planning & Zoning Commission – February 10, 2004
E. Library Board of Trustees – February 18, 2004
F. Police Department Monthly Report – March 2004
G. NFPA Fire Survey – February 2004
H. MP&W Operating Statement – Communication Utility – February 2004
I. MP&W Operating Statement – Water Utility – February 2004
J. MP&W Operating Statement – Electric Utility – February 2004

14. APPROVAL OF BILLS

It is recommended bills totaling $946,338.63 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