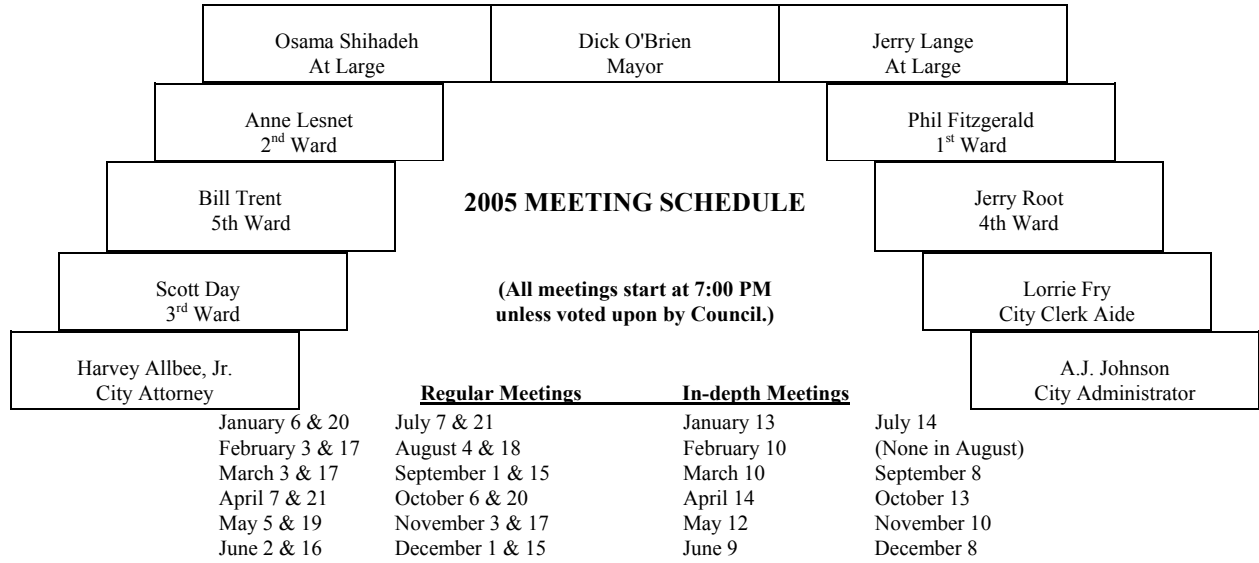


# MUSCATINE CITY COUNCIL



## AGENDA

**THURSDAY, MAY 5, 2005, 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 21, 2005

**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-F
- \* Bills\*

\* Approval of attached Bills for Approval totaling \$1,092,245.85 is subject to the approval of any related agenda item(s).

**8. PUBLIC HEARING**

A. Proposed Sanitary and Storm Sewer Improvement Project

Previously the City Council took action to establish a public hearing to receive public comment on the proposed Central Business District Miscellaneous and W. 3<sup>rd</sup> Street Sanitary and Storm Sewer Improvement Project. This project is part of the 1% sales tax sanitary and storm sewer improvement project and consists of the following:

1. Replace sanitary sewer on W. 3<sup>rd</sup> Street between Chestnut and Cherry streets
2. Eliminate storm sewer outfall and redirect Papoose Lift Station
3. Install flood and odor control structures at Sycamore Street and Mississippi Drive
4. Install odor control structure on E. 3<sup>rd</sup> Street across from City Hall
5. Separate sewers and install new where needed between Cedar, Orange, E. 5<sup>th</sup> and E. 9<sup>th</sup> streets

Prior to this project moving forward, a public hearing is required.

Now is the time for the public to comment on the proposed sanitary and storm sewer improvement project.

**9. PETITIONS AND COMMUNICATIONS**

- A. Request on second reading for a new Class B Beer and Sunday Sales Permit for Pockets, 817 Oregon Street – Anthon Kim-Sang Luu (pending inspections)
- B. Request for renewal of a Class C Liquor License for Mexican Restaurant, 228 W. 2<sup>nd</sup> Street – Mexican LLC (pending receipt of dram shop certificate)

C. Request for renewal of a Class B Beer and Sunday Sales Permit for Hubble's, 214 E. 2<sup>nd</sup> Street – Hubbles LLC

D. Request Approval for Use of City Property for Car Show

Presented for City Council's consideration is a request approval for use of city property. The Greater Muscatine Chamber of Commerce & Industry has forwarded a request to City Council for the use of 2<sup>nd</sup> Street from Walnut to Pine streets for Thursday, June 2, 2005, beginning at 8 a.m. and lasting for approximately six hours. The purpose of this request is to facilitate the "2005 Motorioway" event to be held in Muscatine on that day. This event will showcase between 50 and 70 antique cars that will use Muscatine as a "pit stop". Intersecting streets along 2<sup>nd</sup> Street will be left open for cross traffic.

At this time City Council could take action to approve the request from the Greater Muscatine Chamber of Commerce & Industry to facilitate a car show for the 2005 Motorioway Event for Thursday, June 2, 2005, beginning at 8 a.m.

E. Request Approval of Date Change for Use of City Property for Family Fun Fest

Presented for City Council's consideration is a request from the Muscatine Journal for their annual Family Fun Fest Carnival. Previously the Council granted permission for the use of the riverfront for this event for June 13-19, 2005. At this time they are requesting to change the date to June 22-26, 2005. All other conditions and requirements from the original request will stay in place.

At this time City Council could take action to approve the date change for the Muscatine Journal's Family Fun Fest from June 13-19, 2005 to June 22-26, 2005.

**10. FROM THE MAYOR**

A. Proclamation Declaring May 8-14, 2005 as "Homes for the Aging Week"

B. Proclamation Declaring May as "National Historic Preservation Month"

C. Proclamation Declaring May 27-28, 2005 as "Poppy Days"

D. Proclamation Declaring May 15-21, 2005 as "National Police Week" and May 22, 2005 as "Peace Officer's Memorial Day"

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

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

**A. Resolution Setting the Time and Place of a Public Hearing on a Proposed Vacation of Platted Lots in the Riverbend First Addition**

Presented for City Council's consideration is a resolution setting the time and place of a public hearing on the proposed vacation of platted lots in the Riverbend First Addition. Riverbend Land Development has proposed to replace five existing lots for four slightly larger lots within the Riverbend 4<sup>th</sup> Addition. The proposed change will allow larger lots to provide home design opportunities for the development. The State Code requires a specific sequence of events for approval of change in lots that have already been approved within subdivisions. The first step is to establish a public hearing that will consider the vacation of lots 25-29 of the Riverbend Addition. This will be followed by other Council actions that will culminate in the final action by resolution vacating lots 25-29 and the adoption of the final plat of the Riverbend 4<sup>th</sup> Addition with the new lot configuration. The first step in this sequence of events is the establishment of a public hearing.

At this time City Council could take action by resolution establishing a public hearing on the proposed vacation of platted lots in the Riverbend Addition for Thursday, June 2, 2005, at 7 p.m.

**12. FROM THE CITY ADMINISTRATOR**

**A. Final Reading of an Ordinance Amending the Zoning Ordinance of the City of Muscatine**

Presented for City Council's consideration is the final reading of an ordinance amending the zoning ordinance of the City of Muscatine. In conjunction with the city's intention to authorize the sale of property known as "Lincolnshire Village City Park", it is being requested that the property be rezoned from its current R-L (large scale residential) to C-3 (planned commercial).

At this time City Council could take action on the third and final reading of an ordinance amending the zoning ordinance for the City of Muscatine and to direct for its publication in the Muscatine Journal.

**B. Resolution Approving Plans, Specifications, Form of Contract, Cost Estimate and Setting Date for Receipt of Bids**

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract, cost estimate and setting date for receipt of bids for the Central Business District Miscellaneous and W. 3<sup>rd</sup> Street Sanitary Storm and Sewer Improvement Project. Previously a public hearing was held on this project. It is proposed that the bid date be established for June 9, 2005. The engineer's estimate provided at this time for the total construction project will be \$2,736,000.

At this time City Council could take action approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for receipt of bids for June 9, 2005 for the CBD Miscellaneous and W. 3<sup>rd</sup> Street Sanitary Storm and Sewer Improvement Project.

C. Resolution Authorizing Mayor to Sign Subordination Agreement

Presented for City Council's consideration is a resolution authorizing the Mayor to sign a subordination agreement for refinancing purposes for the property located at 716 Mulberry Avenue. John and Renee Bodman participated in the city's Housing Fund Rehabilitation Program in 2002. The city provided \$9,169.75 as a five-year forgivable loan to complete a variety of rehabilitation activities. As part of the program, a mortgage was attached to the property. 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 is released. The couple now wishes to refinance the property and has requested that the city take a subordinate position on this refinancing activity.

At this time City Council could take action by resolution authorizing the Mayor to sign a subordination agreement for 716 Mulberry Avenue.

D. Resolution Setting Time and Place of Public Hearing on Deceleration Lane – U.S. Highway 61 Project

Presented for City Council's consideration is a resolution setting the time and place of a public hearing on a Deceleration Lane – U.S. Highway 61 adjacent to the municipal airport. As part of the overall improvements to the municipal airport, the Council has authorized the expenditure of funds for the construction of a deceleration lane. The lane will allow for right turns to be made more safely from Highway 61 onto the airport property. Prior to any further improvements being made associated with this project, a public hearing is required.

At this time City Council could take action by resolution setting the time and place of a public hearing on the Deceleration Lane – U.S. Highway 61 Project for Thursday, May 19, 2005, at 7 p.m.

E. Resolution Setting Time and Place of Public Hearing on Amendment #2 to the FY2004/2005 City Budget

Presented for City Council's consideration is a resolution setting the time and place of a public hearing on Amendment #2 for the fiscal year 2004/2005 city budget. This will be the second and final amendment to the current fiscal year budget. On March 3, 2005, the City Council approved the first amendment to this budget. This second amendment includes additional proposed amendments that will increase the total budget expenditures for the city by \$1,183,900. Budgeted transfers will increase by \$32,100 for a total expenditure change of \$1,216,000. In addition, the city budgeted revenues are proposed to be amended by \$191,300 which includes \$32,100 of fund transfers in. The General Fund expenditures are proposed to be amended by \$124,800 with General Revenue Funds being amended by

\$46,300. Prior to any formal action by City Council, a public hearing is required.

At this time City Council could take action by resolution establishing a public hearing concerning Amendment #2 to the city budget for the fiscal year ending June 30, 2005 for Thursday, May 19, 2005, at 7 p.m.

F. Request Approval of Change Order #3 for Riverview Center

Presented for City Council's consideration is a request to approve Change Order #3 for the Riverview Center. This change order resulted from additional work on a support column for the oak beams in support of the roof/ceiling of the facility. In addition, there will be the installation of an additional sink and faucet in the kitchen to comply with health requirements. The total cost of Change Order #3 is \$2,695.70.

At this time City Council could take action to approve Change Order #3 for the Riverview Center as part of the Pearl of the Muscatine Project in the amount of \$2,695.70.

G. Request Approval to Purchase Park Maintenance Mower

Presented for City Council's consideration is a request to approve a park maintenance mower. Included in this year's fiscal year budget are funds to purchase this mower. There was \$20,000 budgeted for this purpose. Bids were sent to four vendors for a 72" outfront mower and three bids were received. The lowest responsible bid was that of Davis Sun Turf in the amount of \$14,760. After a review of the bids, it is staff's recommendation that the mower be purchased from this vendor.

At this time City Council could take action to approve the purchase of a 72" outfront mower for the park maintenance operation in the amount of \$14,760 from Davis Sun Turf.

H. Request Approval of Bi-State Regional Commission Mutual Aid Agreement

Presented for City Council's consideration is a request to approve a Bi-State Regional Commission Mutual Aid Agreement. This agreement provides for an arrangement similar to the Muscatine County Mutual Aid Agreement for sharing resources in the event that resources from either entity are taxed beyond what is necessary to respond to emergencies. The Bi-State agreement has already been signed by most fire departments in the Quad City area. As with any mutual aid agreement, the city will benefit from the availability of personnel and equipment to be used in cases of dire emergencies.

At this time City Council could take action to approve the Bi-State Regional Commission Mutual Aid Agreement.

**13. COMMUNICATIONS - RECEIVE AND FILE**

- A. Muscatine County Board of Supervisors – April 11 & 18, 2005
- B. Library Board of Trustees – March 16, 2005
- C. Muscatine School Board – April 11, 2005
- D. Senior Resources – March 29, 2005
- E. Board of Water, Electric and Communications Trustees – March 31, 2005
- F. City of Muscatine Financial Reports – March 2005

**14. APPROVAL OF BILLS**

It is recommended bills totaling \$1,092,245.85 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**

- A. Request Approval to go into Closed Session to discuss pending litigation

**17. ADJOURNMENT**