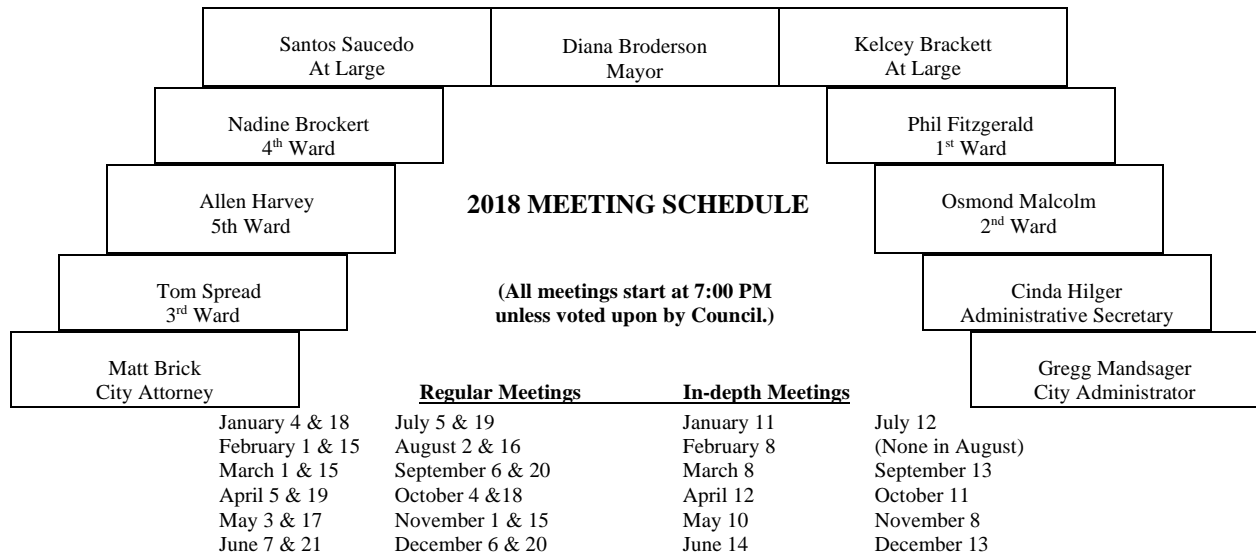


# COUNCIL



## AGENDA

**THURSDAY, JUNE 21, 2018  
COUNCIL CHAMBERS - CITY HALL – 7:00 P.M.**

1. **CALL TO ORDER**

2. **ROLL CALL**

**Spread Harvey Brockert Saucedo Brackett Fitzgerald Malcolm**

3. **PLEDGE OF ALLEGIANCE**

4. **COMMUNICATIONS – CITIZENS**

A. Presentation of the Arthur Sidney Bedell Award to Jon Koch by Jay Brady of Stanley Consultants.

5. **CONSENT AGENDA**

1<sup>st</sup>

2<sup>nd</sup>

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 so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

\* **Items 6A-B - Approval of City Council Minutes**

- A. Regular City Council Minutes – June 7, 2018
- B. In-Depth Meeting Council Minutes – June 14, 2018

\* **Items 8A-D – Petitions and Communications**

- A. Request for use of City Property – Missipi Brewing Co. – Mississippi Drive to be used for 4<sup>th</sup> of July Community Celebration
- B. Request on Outdoor Service Permit for Missipi Brewing Company, 107 Iowa Avenue – Dave Armstrong (pending inspections)
- C. Request on Outdoor Service Permit for Hy-Vee Wine & Spirits, 522 Mulberry Avenue – Hy-Vee, Inc., (pending inspections)
- D. Cigarette/Tobacco Permits
  - A & E Convenience LLC, 4701 South Highway 61 – A & E Convenience, LLC; AJ’s Garage, 1206 East 2<sup>nd</sup> Street – Alex Shoppa; Bullpen Sports Bar, 1201 Grandview Avenue – Tracy Horton; Casey’s General Store #1484, 1111 Oregon Street – Casey’s Marketing Company; Casey’s General Store #2906, 3509 Steamboat Way – Casey’s Marketing Company; Casey’s General Store # 2944, 3010 University Drive – Casey’s Marketing Company; Circle K #6600, 802 Cypress Street – Mac’s Convenience Stores, LLC; Dollar General Store #7027, 2000 Cedar Plaza Drive – DolgenCorp, LLC; Dollar General Store #19625, 807 Grandview Avenue – DolgenCorp, LLC; Dollar General Store #18711, 3614 Grandview Avenue – DolgenCorp, LLC; Express Mart, 4804 South Grandview Avenue – Aviya, LLC; Family Dollar Stores of Iowa #1820, 725 East 2<sup>nd</sup> Street – Family Dollar Stores of Iowa, Inc.; Fareway Stores, Inc. #998, 2100 Cedar Plaza Drive – Fareway Stores, Inc.; Fast Avenue One Stop, 2111 Park Avenue – BGA, LLC; GM Food Mart, 1814 E Avenue - Nanak Express, LLC; GM Mini Mart, 2307 Lucas Street – Nanak Express, LLC; Grandview Mart, 714 Grandview Avenue – Malka 13, Inc.; Hubble’s Tap, 214 East 2<sup>nd</sup> Street – Hubble’s Glenda, LLC; Hy-Vee Food Store, 2400 Second Avenue – Hy-Vee, Inc.; Hy-Vee Mainstreet, 510 East 6<sup>th</sup> Street – Hy-Vee, Inc.; Hy-Vee Gas, 2600 Second Avenue – Hy-Vee, Inc.; Hy-Vee Wine & Spirits, 522 Mulberry Avenue, Suite A – Hy-Vee, Inc.; Jayde’s Vapor Lounge, 2110-B Park Avenue – Jayde Tran; Kum & Go #436, 501

Cedar Street – Kum & Go, LC; Kum & Go #438, 1429 Park Avenue – Kum & Go, LC; Loos’ Inc., 711 Park Avenue – Loos Inc.; Missipi Brewing Company, 107 Iowa Avenue – Dave Armstrong; Muscatine Citgo Fast Break, 2603 Second Avenue – Reif Oil Company; New York Dollar Store, 109 East 2<sup>nd</sup> Street – Antonio Sosa; No More Butts Vapor Lounge, 108 East 2<sup>nd</sup> Street – Margaret Haller; Pearl City Tobacco and Liquor Outlet, 200 Green Street – BGA, LLC; Rasta Lion LLC, 211 East 2<sup>nd</sup> Street – Midwest Glass Gallery; Smokin Joe’s #16, 1504 Park Avenue – The Outlet, Inc.; The Smoke Shop Muscatine, 227 East 2<sup>nd</sup> Street – Matt McFadden; Wal-Mart Supercenter #559, 3003 North Highway 61 – Wal-Mart Stores, Inc.; Walgreens #5885, 1703 Park Avenue – Walgreen Co.; West Side Store, 2201 Houser Street – DJMB Enterprises, Inc.; White Oak Station, 709 Grandview Avenue – White Oak Station, LLC

\* **From the Mayor**

\* **Items 12A-E – Receive and File**

- A. Muscatine County Board of Supervisors Minutes – June 4, 2018
- B. Muscatine County Board of Supervisors Minutes – June 11, 2018
- C. Muscatine County Board of Supervisors Minutes – June 12, 2018
- D. Muscatine Power and Water Financial Statements April 2018
- E. City of Muscatine Financial Reports – May, 2018

\* **Bills\***

- \* Approval of attached Bills for Approval totaling \$1, 751,197.09, is subject to the approval of any related agenda item(s).

**6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

A. Proposed Houser Street Parking and Athletic Field Grading Project

This public hearing concerns the proposed Houser Street Parking and Athletic Field Grading Project. This project consists of a parking facility with up to 200+ parking spots, enhancing the safety features of the street crossings and grading of four field areas on the 17.7-acre tract located along Houser Street across from Kent Stein park and the soccer complex. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

B. PCC Full-Depth Concrete Patching Project

This public hearing concerns the proposed PCC Full-Depth Concrete Patching Project. The City of Muscatine has compiled a list of streets to be full-depth concrete patched during fiscal year 2019. The estimated cost of this contract is \$800,000 and it is structured to allow the work to stop when this amount is reached. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment

8. **PETITIONS AND COMMUNICATIONS**

9. **FROM THE MAYOR**

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

11. **FROM THE CITY ADMINISTRATOR**

A. Ordinance Amending Title 3, Chapter 5, Section 9, Subsection D of City Code

Presented for City Council's consideration is the second reading of an ordinance amending Title 3, Chapter 5, Section 9, Subsection D of the City Code. The current City Code states all dogs in city parks be kept on a leash no longer than six feet. With the opening of the new Dog Park this amendment allows for dogs to be let off-leash in the areas so designated by the Parks and Recreation

Department such as the Dog Park.

Is there a motion to approve the second reading of this ordinance as submitted?

#### B. Ordinance Decreasing Utility Franchise Fee

Presented for City Council's consideration is the first reading of an ordinance decreasing the Utility Franchise Fee Rate from 5% to 2%. The Fiscal Year Budget for 2018/2019 included an increase in Utility Franchise Fees to cover the City's loss of income from the University Avenue and Highway 61 ATE Camera. The Iowa court recently ruled in favor of the City's appeal of the IDOT order for removal of this camera. Based on City Council discussion at the In-Depth meeting, it is now proposed that the franchise fee be reduced from 5% to 2%.

Is there a motion to approve the first reading of this ordinance as submitted?

#### C. Ordinance Establishing Sewer Rates and Collection and Drainage Fee Rates

Presented for City Council's consideration is the first reading of an ordinance to establish sewer and collection and drainage fee rates for fiscal years 2018/2019 through 2022/2023. A sewer rate study was presented to council at the In-Depth Meeting recommending that rates be increased over the next five years in order to maintain acceptable funding levels.

Is there a motion to approve the first reading of this ordinance as submitted?

D. Ordinance Amending Title 13, Chapter 3, Section 11 of City Code

Presented for City Council's consideration is the first reading of an ordinance amending Title 13, Chapter 3, Section 11 for refuse collection fees. City Council approved the Fiscal Year 2018/2019 rate increase by resolution at the April 19, 2018 meeting. The City Attorney has advised that going forward all utility rate changes be done by ordinance. This ordinance incorporates the rate change effective July 1, 2018.

Is there a motion to approve the first reading of this ordinance as submitted?

E. Resolution Accepting Quit Claim Deed – Kent Corporation Charitable Foundation to the City of Muscatine

Presented for City Council's consideration is a resolution accepting a Quit Claim Deed from the Kent Corporation Charitable Foundation to the City of Muscatine. The Kent Corporation Charitable Fund is making a donation of 17.7 acres of land to the City of Muscatine. This land will be used for the Houser Street Parking Expansion and Safety Enhancement Project. This project is being funded by a

grant from the Roy J. Carver Charitable Trust and the City of Muscatine as approved in the budget.

Is there a motion to adopt this resolution as submitted?

F. Resolution Approving Houser Street Parking and Athletic Field Grading Project

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract and cost estimate for the Houser Street Parking and Athletic Field Grading Project. (Public Hearing A)

Is there a motion to adopt this resolution as submitted?

G. Resolution Approving PCC Full-Depth Concrete Patch Project

Presented for City Council's consideration is a resolution to approve the plans, specifications, form of contract and cost estimate for the PCC Full-Depth Concrete Patch Project. (Public Hearing B)

Is there a motion to adopt this resolution as submitted?

H. Resolution to Adopt Sales Process for the Sale of Surplus Property.

Presented for City Council's consideration is a resolution establishing the sales process for the sale of surplus property. On June 7th, 2018, the City Council declared the old Musser Public Library as surplus property. The City now plans to dispose of this property by public auction.

Is there a motion to adopt this resolution as submitted?

I. Resolution Authorizing the Assessment of Unpaid Nuisance Abatement Costs to Private Properties

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid abatement costs to private properties. Periodically the city takes action to assess unpaid nuisance abatement costs to private properties. The nuisance abatement costs for snow, junk, and weed removal total \$4033.21. The administrative fees are \$950.00 and the assessment fees are \$1900.00. The total fee being requested for assessment at this time totals \$6883.21.

Is there a motion to adopt this resolution as submitted?

- J. Resolution Accepting Parcel located at 500 Mulberry and Declaring it as Surplus Presented for City Council's considerations is resolution accepting the transfer of property located at 500 Mulberry and to declare it as Surplus Property.

Is there a motion to adopt this resolution as submitted?

- K. Resolution Setting Public Hearing for proposed Development Agreement with TIF Oak Park, Inc., Including Annual Appropriation Tax Increment Payments.

Presented for City Council's consideration is a resolution setting public hearing for July 5, 2018 at 7:00 p.m. at City Hall Council Chambers on the Development Agreement and Tax Increment Payments for TIF Oak Park, Inc. The City

proposes to enter into a development agreement with TIF Oak Park, Inc. in connection with the construction of multifamily housing, in the Urban Renewal Area, that is affordable to seniors of low and moderate income. This agreement would provide financial incentives to the developer in the form of annual appropriation incremental property tax payments in an amount not to exceed \$497,445.

Is there a motion to adopt this resolution as submitted?

L. Resolution Approving Airport Hangar Design, Bid and Construction Services

Presented for City Council's consideration is a resolution approving an engineering agreement with Bolten & Menk for the Airport Hangar Design and Bid and Construction oversight. The City is preparing to build four commercial hangars at the Muscatine Airport. The design agreement is for an amount not to exceed \$22, 000.

Is there a motion to adopt this resolution as submitted?

M. Resolution Accepting Dedication of Right of Way from DG Partners, LLC  
(Dollar General)

Presented for City Council's consideration is a resolution accepting the dedication of right of way from DG Partners, LLC. An exchange agreement between the City of Muscatine and DG Partners was approved at the May 17<sup>th</sup> Council Meeting. This agreement allows DG Partners an easement for the placement of a dumpster enclosure and truck dock in exchange for dedication of an additional twenty feet of right of way to the City of Muscatine, along Warren Street between Grandview Avenue and Liberty Street. The additional right of way will be used for the sidewalk/trail project.

Is there a motion to adopt this resolution as submitted?

N. Resolution Approving the Final Plat for Mulberry Meadows Family Farm  
Subdivision

Presented for City Council's consideration is a resolution approving the Final Plat for Mulberry Meadows Family Farm Subdivision. This proposed subdivision is located in unincorporated Muscatine County, but falls within the two mile limit requiring the City of Muscatine to review and approve.

Is there a motion to adopt this resolution as submitted?

O. Request Approving Exchange Agreement with Eastern Iowa Community College District Foundation

Presented for City Council's consideration is a request to approve an exchange agreement with Eastern Iowa Community College District Foundation. The Foundation agrees to deed a parcel of land to the City of Muscatine and in exchange the City will construct a temporary driveway on the Foundation's remaining property that will be replaced with a permanent driveway as part of the Grandview Avenue Corridor Project.

Is there a motion to approve this request as submitted?

P. Request to approve Business Office Agreement for Greenwood Cemetery

Presented for City Council's consideration is a request to approve an amendment to the Business Office Operations Agreement with Peter Troost Monument Company Inc., doing business as Iowa Memorial Granite Company, for Greenwood Cemetery. The requested amendment extends the term of the agreement by two years (July 1, 2018 through June 30, 2020) and increases the monthly payment from \$600 to \$610.

Is there a motion to approve this request as submitted?

Q. Request to approve Amendment to Retail Sales and Service Agreement and Lease – Greenwood Cemetery

Presented for City Council's consideration is a request to approve the amendment to the Retail Sales and Service Agreement and Lease with Peter Troost Monument Company Inc., doing business as Iowa Memorial Granite Company, for Greenwood Cemetery. The requested amendment extends the by two years (July 1, 2018 through June 30, 2020). and increases the monthly payment from \$600 to \$610.

Is there a motion to approve this request as submitted?

R. Request to approve Purchase Order for Security Lighting at the Muscatine Soccer Complex

Presented for City Council's consideration is a request to approve the issuance of a purchase order to MUSCO Lighting in the amount of \$59,954.00 for security lighting at the Muscatine Soccer Complex. The security lighting now in place at the soccer complex is the original from 1992. Several of the lights no longer work and additional lighting is needed due to the Kent Stein Park access that was later added. There is \$60,000 budgeted for this expense.

Is there a motion to approve this request as submitted?

S. Request Approving the City of Muscatine's Insurance Renewal

Presented for City Council's consideration is a request to approve the City of Muscatine's Insurance Renewal for fiscal year 2018/2019. The primary package lines of coverage will be renewed with ICAP. This includes addition of the Housing Authority to the ICAP line. Additionally, workers' compensation coverage will be renewed with IMWCA.

Is there a motion to approve this request as submitted?

T. Request Approving the Removal of on-street Parking

Presented for City Council's consideration is a request to approve the removal of on-street parking on the North side of East 4<sup>th</sup> Street. Following the completion of Kum & Go at 4<sup>th</sup> and Cedar Streets there have been complaints regarding low visibility and narrow lanes turning onto East 4<sup>th</sup> from Cedar Street. For this reason, the Traffic Committee recommends removing all parking on the north side of East 4<sup>th</sup> Street from Cedar Street to Iowa Avenue. Parking will still be allowed on the south side of the street.

Is there a motion to approve this request as submitted?

U. Request Approving Purchase Order for Plant Drainage Control System

Presented for City Council's consideration is a request to approve the issuance of a purchase order in the amount of \$5,653.00 to Primex Controls. The WPCP received a bid from Primex Controls for a new Control system for the Plant Drainage System in the amount of \$10,313.00. The WPCP has a credit of \$4,660.00 with Primex bringing the net cost to \$5,653.00. Primex Control is the control system vendor for the WPCP, making it vendor specific and does not require additional bids. There is \$10,000 budgeted for this project.

Is there a request to approve this request as submitted?

V. Request Approving Purchase Order for Replacement of the Canon Lift Station Pump

Presented for City Council's consideration is a request to approve issuance of a purchase order to Zimmer and Francescon in the amount of \$15,840.00 for the purchase of the Canon Lift Station Pump. The WPCP received three bids for the replacement of this pump and the low bid was from Zimmer and Francescon. There is \$25,000 budgeted for this purchase.

Is there a motion to approve this request as submitted?

W. Request Approving Issuance of Purchase Order and Approving Contract for City Street Paint Striping

Presented for City Council's consideration is a request to authorize the issuance of a purchase order for the 2018 Paint Striping Project. Only one bid was received for this project in the amount of \$67,523.34. This amount is over the budgeted \$60,000 by \$7,523.34. The contractor states that the cost of materials has gone up. Staff recommends approving the issuance of a purchase order to Weikert Contracting from Ackley Iowa, in the amount of \$67,523,34.

Is there a motion to approve this request as submitted?

X. Request Approving Issuance of Purchase Order for Dog Park Parking Lot

Presented for City Council's consideration is a request to approve issuance of a purchase order in the amount of \$15,892.80 to Illowa Investments Inc. for the Dog Park Parking Lot Project. Two bids were received for this project and Illowa was the low bid.

Is there a motion to approve this request as submitted?

- Y. Request to approve contract with McDaniel's Marketing for the Convention and Visitors Bureau

Presented for City Council's consideration is a request to approve a contract with McDaniel's Marketing for the marketing of Muscatine's attractions and events that have the potential to bring visitors to Muscatine. The current contract expires July 1, 2018 and the CVB is recommending City Council renew this contract for a 12-month period.

Is there a motion to approve this request as submitted?

**12. COMMUNICATIONS - RECEIVE AND FILE**

**13. APPROVAL OF BILLS**

It is recommended bills totaling \$1,751,197.09, 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).

**14. COMMUNICATIONS - COUNCIL MEMBERS**

**15. OTHER BUSINESS**

**16. ADJOURNMENT**