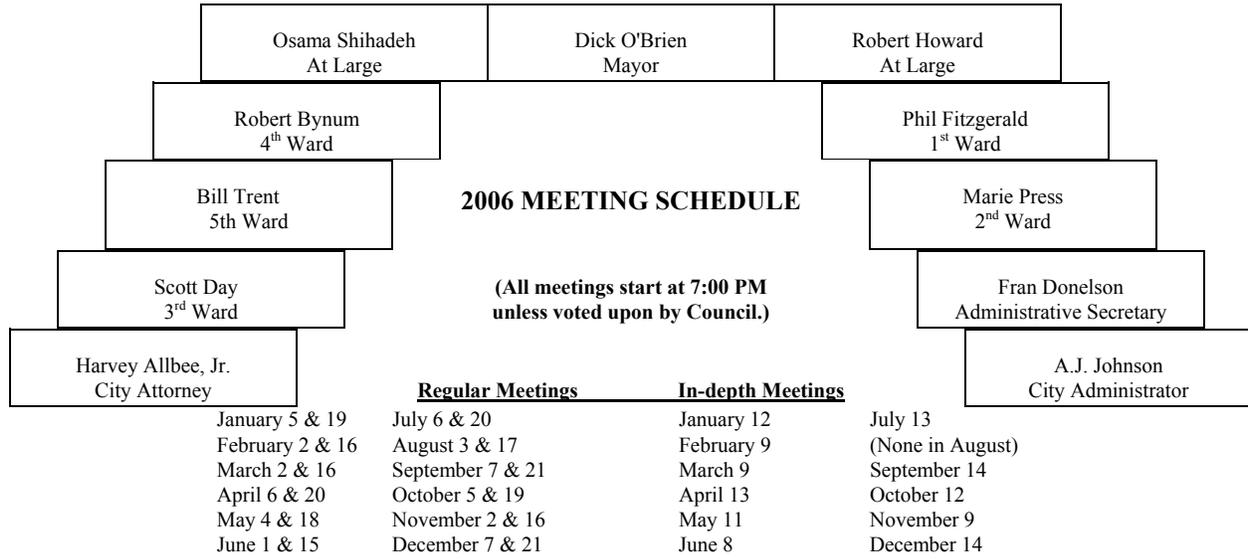


MUSCATINE CITY COUNCIL



AGENDA

THURSDAY, JANUARY 5, 2006 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 Councilmembers Press, Bynum, and Howard and Mayor O'Brien

At this time City Councilmembers will be sworn in for the 2006 City Council year.

B. Swearing in of Police Officer Shawn J. Sullivan

At this time Police Officer Shawn J. Sullivan will be sworn in.

6. **MINUTES - APPROVAL**

A. Regular City Council Meeting – December 15, 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-B
- * 13 – A-I
- * Bills*

* Approval of attached Bills for Approval totaling \$648,277.79 is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

9. **PETITIONS AND COMMUNICATIONS**

A. Request on first reading for a new Class C Liquor License and Sunday Sales Permit for Mami's Authentic Mexican Food Services, 201, 203, 205 W. 2nd Street – Elsa de la Paz (pending inspections)

B. Request on second reading for a new Class C Liquor License and Sunday Sales Permit for Las Lomas, 1519 Park Avenue – Juan Inc. (pending inspections)

10. **FROM THE MAYOR**

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

A. Resolution Approving the Final Plat for the Carver's First Addition in the City of Muscatine

Presented for City Council's consideration is a resolution approving the final plat for the Carver's First Addition in the City of Muscatine. This is a seven-lot subdivision located off of Lucas and James streets in the S-3 zoning district. Lot 7 of the plat is the site of a banquet/catering facility which was originally proposed by the developers. The remaining six lots meet the dimensional requirements of residential development. All residential lots will have their frontage on Cherokee Lane, a new public street that will be constructed as part of the development. The entire subdivision will be served by city utilities. The city's Planning and Zoning Commission reviewed and approved the final plat at their December 13, 2005 meeting.

At this time City Council could take action by resolution approving the final plat of the Carver's First Addition in the City of Muscatine.

12. FROM THE CITY ADMINISTRATOR

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

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid abatement costs to private properties. There are a total of 18 incidences totaling \$1,505.69. Every effort has been made to collect these fees through traditional means and at this time it is being requested that Council authorize the assessment of the unpaid abatement costs to the various properties as listed.

At this time City Council could take action by resolution authorizing the assessment of unpaid abatement costs to private properties.

B. Resolution Setting Time and Place of Public Hearing for the Poplar Street Sewer Separation Project

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for the Poplar Street Sewer Separation Project. As part of the city's 1% sales tax program, the city has pre-identified projects within the city requiring sewer separation activities. The Poplar Street Project is one such project. Prior to any formal action on this program, a public hearing is required.

At this time City Council could take action by resolution setting the time and place of a public hearing for the Poplar Street Sewer Separation Project for Thursday, January 19, 2006, at 7 p.m.

C. Resolution Approving the Plans and Specifications and Setting Bid Opening Date for the E. 5th Street Bridge Replacement Project

Presented for City Council's consideration is a resolution approving the plans and specifications and setting the bid opening date for the E. 5th Street Bridge Replacement Project. The Iowa Department of Transportation has set February 21, 2006 as the bid opening date for this project. The engineer's estimated cost for this project is \$1,275,000. The city has secured the engineering services of Shoemaker-Haaland who has worked with state and federal agencies to ensure our design standards are met for the construction and for the enhancement of flood protection along the Mad Creek area.

At this time City Council could take action by resolution approving the plans and specifications, form of contract, cost estimate, and setting the bid opening date for the E. 5th Street Bridge Replacement Project for February 21, 2006.

D. Resolution Accepting Completed Work Performed Under the Demolition of Vacant Warehouse at 1004 E. 5th Street and Authorizing Final Payment

Presented for City Council's consideration is a resolution accepting the completed work performed under the demolition of the vacant warehouse at 1004 E. 5th Street and authorizing final payment. Previously the City Council authorized a contract with Iowa-Illinois Taylor Insulation of Davenport, Iowa, to remove the vacant warehouse as part of the E. 5th Street Bridge Project. The total contract amount was \$32,560 with no change orders being submitted. The final inspection of the property has been completed and the work has been performed satisfactorily.

At this time City Council could take action by resolution accepting the completed work performed under the demolition of the vacant warehouse at 1004 E. 5th Street and authorizing final payment to Iowa-Illinois Taylor Insulation of Davenport, Iowa.

E. Resolution Setting the Time and Place of a Public Hearing for Operating and Capital Financial Transit Assistance

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for operating and capital financial assistance from the Federal Transit Administration and the Iowa State Transit Assistance for the 2006/2007 fiscal year.

At this time City Council could take action by resolution setting the time and place of a public hearing for Thursday, February 16, 2006, at 7 p.m. for operating and capital financial assistance from the Federal Transit Administration and the Iowa State Transit Assistance for the 2006/2007 fiscal year.

F. Request Approval of Lease Between the City of Muscatine and Iowa Department of Transportation for Property Located at Iowa Highway 92 and 2nd Street (Mark Twain Overlook)

Presented for City Council's consideration is a request to approve a lease agreement between the City of Muscatine and the Iowa Department of Transportation for property located at Iowa Highway 92 and 2nd Street (Mark Twain Overlook). Previously the City of Muscatine had petitioned the State of Iowa for the vacation of property located in this general vicinity as part of the overall improvement efforts at the Mark Twain Overlook which includes the installation of a community sign. The city has received notice from the state that they have decided not to give or sell the city any property at this time but will allow the city to lease this property on an annual basis. The amount of the lease will be recognized through the mutual benefit that both the state and city will receive from the entryway sign that has been placed at this location.

At this time City Council could take action to approve the lease between the City of Muscatine and the Iowa Department of Transportation for the placement of an entryway sign at the "Mark Twain Overlook" and authorize the Mayor to sign said document.

G. Request Authorization to Issue Purchase Order for the Fuller Park Erosion Control Project

Presented for City Council's consideration is a request to authorize the issuance of a purchase order for the Fuller Park Erosion Control Project. The Fuller Park Erosion Control Project is a 1% local option sales tax project and reflects future storm water related issues. City staff has met a number of times to discuss the appropriate way to approach this project. After several meetings and evaluation sessions, it was determined that the city can best be served by issuing a purchase order to Muscatine Bridge in an amount not to exceed \$35,000 to perform the proper cuts in the ravine to allow for city crews to apply the appropriate liners. The total project cost will range from \$50,000 to \$100,000.

At this time City Council could take action to authorize the issuance of a purchase order for an amount not to exceed \$35,000 to Muscatine Bridge for the Fuller Park Erosion Control Project.

H. Request Approval of a Contract for Services Agreement

Presented for City Council's consideration is a request to approve a professional services agreement between the City of Muscatine and Veenstra & Kimm Inc. for consultation and updating of the sewer user charge rates. The proposal is based on the concept of updating the sewer user charge rates generally utilizing the existing rate structure. In addition, the proposal also includes work associated with negotiating a renewal agreement with Heinz to extend the existing agreement that expires in 2006. The analysis would also include a review of revenues and expenses of the sewer enterprise funds and would update and extend the projection of future revenue and expense needs. It will also update the projections of future capital funding required in the enterprise fund. The study would be on an hourly fee basis with a maximum fee amount of \$9,200. Work would begin in early January with late March 2006 as the goal set for completion of the study.

At this time City Council could take action to approve the professional services agreement between the City of Muscatine and Veenstra & Kim Inc. at a maximum fee amount of \$9,200.

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – December 5, 12 & 19, 2005
- B. Historic Preservation Commission – November 15, 2005
- C. Senior Resources – November 22, 2005
- D. Art Center Board of Trustees – December 15, 2005
- E. Board of Water, Electric, and Communications Trustees – November 29, 2005
- F. MP&W Electric Utility – November 2005
- G. MP&W Communications Utility – November 2005
- H. MP&W Water Utility – November 2005
- I. NFPA Surveys – October & November 2005

14. APPROVAL OF BILLS

It is recommended bills totaling \$648,277.79 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