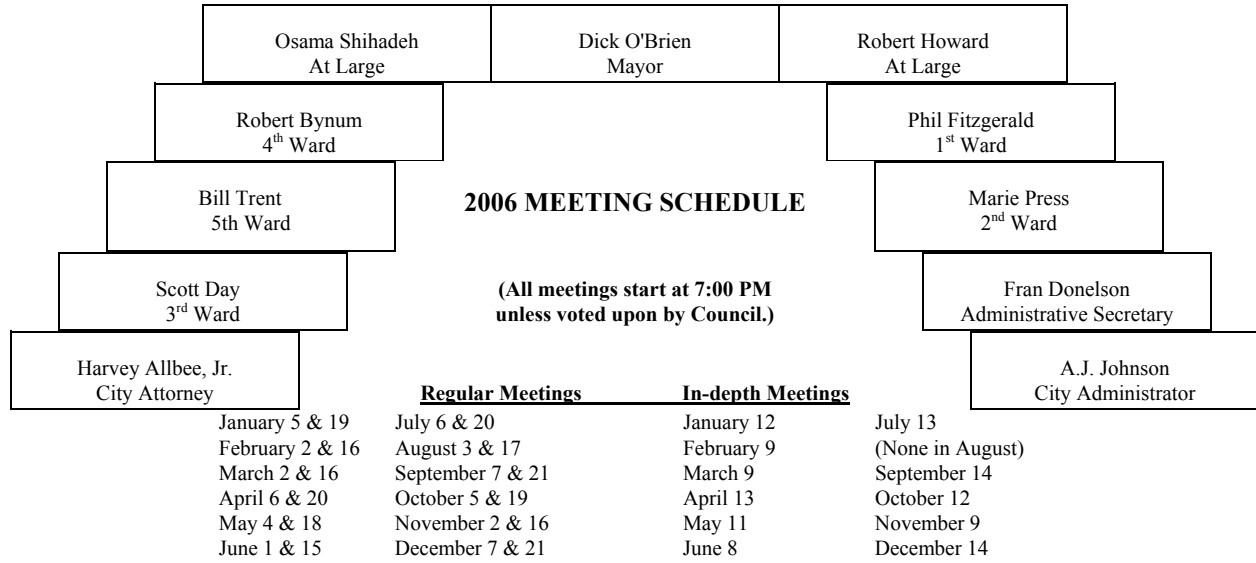


MUSCATINE CITY COUNCIL



AGENDA

**THURSDAY, MARCH 2, 2006
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. Budget Review Session – February 4, 2006
 - B. Budget Review Session – February 7, 2006
 - C. Budget Review Session – February 9, 2006
 - D. Special City Council Meeting – February 15, 2006
 - E. Regular City Council Meeting – February 16, 2006

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-E
- * Bills*

* Approval of attached Bills for Approval totaling \$927,920.49, as well as receipt summaries for January 2006, is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Declaration of Property as Surplus

Previously the City Council took action to establish a public hearing to receive public comment on the proposed declaration of city property as surplus and to offer it for sale. The property in question is located at 1204 E. 4th Street and was recently acquired by the City of Muscatine’s housing division through the Department of Housing and Urban Development. Following the public hearing, action will be offered to City Council to take action to officially declare the property as surplus, and the city will begin the process of marketing the house for sale. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment on the proposed declaration of property located at 1204 E. 4th Street as surplus.

B. Proposed Issuance of \$1,925,800 General Obligation Essential Corporate Purpose Bonds

Previously the City Council took action to establish a public hearing for the issuance of \$1,925,800 of General Obligation Essential Corporate Purpose Bonds. As required by statute, the City Council has published the appropriate notices to signify its intent to issue the \$1,925,800 of General Obligation Essential Corporate Purpose Bonds. This amount and the amounts in the upcoming separate public hearings total \$2.9 million in General Obligation Corporate Purpose Bonds that the city intends to issue later this year. The purpose of the bond issue is to fund all or a portion of the cost of the following projects: E. 5th Street Bridge, Kent Stein Park Trail, Fuller Park Trail, Pearl of the Mississippi (Series B), Pearl Project Phase II, cemetery chapel improvements, Art Center building improvements, building demolitions, joint communications capital funding, airport land acquisition and pavement markings, a new fire pumper, and landfill acquisition costs.

Now is the time for the public to comment on the proposed issuance of \$1,925,800 of General Obligation Essential Corporate Purpose Bonds.

C. Proposed Issuance of \$89,200 General Obligation Art Center Bonds

Previously the City Council took action to establish a public hearing for the proposed issuance of \$89,200 of General Obligation Art Center Bonds. These bonds are specific to improvements recently completed at the Muscatine Art Center. Prior to any formal authorization for issuance of such bonds, a public hearing is required.

Now is the time for the public to comment on the proposed issuance of \$89,200 General Obligation Art Center Bonds.

D. Proposed Issuance of \$500,000 General Obligation Park Improvement Bonds

Previously the City Council took action to establish a public hearing for the proposed issuance of \$500,000 of General Obligation Park Improvement Bonds. The proceeds from this bond issuance will be used to satisfy the city's requirement for its participation in the Pearl of the Mississippi Project. Prior to the issuance of such bonds, a public hearing is required.

Now is the time for the public to comment on the proposed issuance of \$500,000 General Obligation Park Improvement Bonds.

E. Proposed Issuance of \$385,000 General Obligation Riverfront Improvement Bonds

Previously the City Council took action to establish a public hearing for the proposed issuance of \$385,000 of General Obligation Riverfront Improvement Bonds. The issuance of the not to exceed amount will cover the city's anticipated participation in the Pearl of the Mississippi Phase II Project. Prior to any issuance of such bonds, a public hearing is required.

Now is the time for the public to comment on the proposed issuance of \$385,000 of General Obligation Riverfront Improvement Bonds.

F. Proposed Usage of 2006 Justice Assistance Grant Direct Award

Previously the City Council took action to establish a public hearing on the proposed usage for the 2006 Justice Assistance Grant (JAG) Direct Award. For the past several years the City of Muscatine has made application and received funding from the JAG Direct Award. As in the past, the city plans to use these funds for technology and equipment upgrades and also for the possibility of wages for Task Force personnel for special programs that the Police Department is involved with. It is anticipated the city will receive \$12,325 from this grant. Prior to the city's ability to utilize these funds, a public hearing is required.

Now is the time for the public to comment on the proposed usage of the 2006 JAG Direct Award program.

G. Proposed Amendment #1 to the FY2005/2006 Budget

Previously the City Council took action to establish a public hearing for the proposed Amendment #1 to the fiscal year 2005/2006 budget. During the recent fiscal year budget review process, the Council took action to authorize a number of adjustments in the current fiscal year pertaining to both revenues and expenditures. The city takes the opportunity twice each fiscal year to amend the budget to account for these changes in both revenue and expenditures. Also, in accordance with State Code, those amendments are filed with the State of Iowa as amendments to the already certified city budget. Prior to any formal action by Council, a public hearing is required.

Now is the time for the public to comment on the proposed Amendment #1 to the fiscal year 2005/2006 budget.

H. Proposed Budget for FY2006/2007

Previously the City Council took action to establish a public hearing for the proposed budget for fiscal year 2006/2007. Following the recent completion of the budget review sessions held by City Council, a public hearing was set to receive public comment on the proposed fiscal year budget that begins July 1, 2006 and ends June 30, 2007. The proposed budget outlines the estimated revenues and corresponding expenditures by city departments for the upcoming fiscal year. It is proposed through this budget process that the overall city tax levy will be increased by 3.4% to \$16.03891 per \$1,000 of taxable valuation. The budget also accounts for fee adjustments within the various Enterprise Fund activities as well.

Now is the time for the public to comment on the proposed fiscal year 2006/2007 city budget.

9. PETITIONS AND COMMUNICATIONS

- A. Request on second reading for a new Class C Liquor License with Sunday Sales and Outdoor Service Area for Rumors, 1415 Grandview Avenue – Fluff LLC (pending inspections)
- B. Request for Cigarette Permit for Rumors at 1415 Grandview Avenue – Fluff LLC

10. FROM THE MAYOR

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

A. Resolution Declaring Property as Surplus and Authorizing Its Sale – 1204 E. 4th Street

Presented for City Council’s consideration is a resolution declaring property located at 1204 E. 5th Street as surplus and authorizing its sale. Previously a public hearing was held to receive public comment on the proposal to declare this property as surplus and offering it for sale to the public. The city recently acquired this home through the Department of Housing and Urban Development.

At this time City Council could take action by resolution declaring city real estate located at 1204 E. 4th Street as surplus and authorizing its sale.

B. Resolution Determining Not to Exceed \$2,900,000 General Obligation Corporate Purpose Bonds and Levying Property Taxes for Payment of Said Bonds

Presented for City Council’s consideration is a resolution determining not to exceed \$2.9 million in General Obligation Corporate Purpose Bonds and levying property taxes for payment of said bonds. Previously the City Council conducted public hearings concerning a number of public bond offerings for various projects that have been recently completed or are underway within the City of Muscatine. It is the intent of the city to issue General Corporate Purpose Bonds to cover the cost for those projects. This is an amount not to exceed \$2.9 million. This includes \$1,925,800 of General Obligation Essential Corporate Purpose Bonds, \$89,200 General Obligation Art Center Bonds, \$500,000 General Obligation Park Improvement Bonds, and \$385,000 General Obligation Riverfront Improvement Bonds.

At this time City Council could take action by resolution determining not to exceed \$2,900,000 General Obligation Corporate Purpose Bonds and levying property taxes for payment of said bonds.

C. Resolution Authorizing Usage of 2006 Justice Assistance Grant Direct Award by the Police Department

Presented for City Council’s consideration is a resolution authorizing the usage of the 2006 Justice Assistance Grant Direct Award by the Police Department. Previously a public hearing was held to receive public comment on the proposed use of these funds. It is anticipated that the City of Muscatine’s Police Department will receive Local Law Enforcement Block Grant Funds in the amount of \$12,325 to be used for technology, equipment, local incentive, wages for Task Force personnel, etc., for the upcoming fiscal year.

At this time City Council could take action by resolution authorizing the usage of the 2006 Justice Assistance Grant Direct Award by the Police Department.

D. Resolution Approving Amendment #1 to the FY2005/2006 City Budget

Presented for City Council's consideration is a resolution approving Amendment #1 to the fiscal year 2005/2006 city budget. As part of the overall budget review process, the Council took action to make adjustments both to the revenue and expenditures stream for the current fiscal year. Council will also have an opportunity in May of this year to make the final adjustments through budget amendments to the current fiscal year. These amendments are then filed with the State of Iowa. This amendment also reflects the updated capital projects construction schedule and reflects financing of those projects.

At this time City Council could take action by resolution to approve Amendment #1 to the fiscal year 2005/2006 city budget.

E. Resolution Approving the Adoption of the Budget and Certification of Taxes for FY2006/2007

Presented for City Council's consideration is a resolution approving the adoption of the budget and certification of taxes for fiscal year 2006/2007. Following the City Council's budget review sessions in February of this year, the City Council has determined their budget for the next fiscal year beginning July 1, 2006 and ending June 30, 2007. This resolution is an adoption of that budget and certification of taxes for the fiscal year 2006/2007. It is anticipated that the overall tax rate will increase 3.4%.

At this time City Council could take action by resolution approving the adoption of the budget and certification of taxes for fiscal year 2006/2007.

F. Resolution Setting Time and Place of a Public Hearing for the Riverfront Force Main Improvement Project

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for the Riverfront Force Main Improvement Project. Previously the City Council took action to authorize a contract for engineering services between the City of Muscatine and Stanley Consultants Inc. for this project. Cost estimates for the project have not yet been developed but it is anticipated they will be in excess of \$25,000 which by state statute requires a public hearing for this type of public improvement.

At this time City Council could take action by resolution establishing a public hearing for Thursday, March 16, 2006, at 7:00 p.m. for the Riverfront Force Main Improvement Project.

G. Resolution Awarding a Contract for the E. 5th Street Bridge Project

Presented for City Council's consideration is a resolution awarding a contract for the E. 5th Street Bridge Project. Recently bids were received by the State of Iowa for construction of the E. 5th Street Bridge Project. Four bids were received with the lowest responsible bid being submitted by Iowa Bridge & Culvert of Washington, Iowa, in the amount of \$1,159,396.89. The engineering estimate for the project was \$1,278,000.

At this time City Council could take action by resolution awarding the contract for the E. 5th Street Bridget Project to Iowa Bridge & Culvert of Washington, Iowa, in the amount of \$1,159,396.89.

H. Resolution Approving the Contract and Bond for the 2006 Poplar Street Area Sewer Separation Project

Presented for City Council's consideration is a resolution approving the contract and bond for the 2006 Poplar Street Area Sewer Separation Project. Previously the City Council took action to award the contract to Sulzberger Excavating Inc. in the amount of \$369,450.50. The appropriate contract and bond have been submitted and approved by staff at this time.

At this time City Council could take action by resolution approving the contract and bond for the 2006 Poplar Street Area Sewer Separation Project to Sulzberger Excavating Inc. in the amount of \$369,450.50.

I. Resolution Setting Time and Place of a Public Hearing on a Proposed Zoning Change at the Intersection of Tipton Road and the U.S. 61 Bypass

Presented for City Council's consideration is a resolution setting the time and place of a public hearing on a proposed zoning change at the intersection of Tipton Road and the U.S. 61 Bypass. Recently a request was filed by Robert Simmering, agent for Cedar Plaza LLC, was filed with the city's Planning and Zoning Commission for a change of zoning of a 12.24 acre parcel of real estate located at the southeast intersection of Tipton Road and the U.S. 61 Bypass. The request is to change the current zoning from a single family residential (R-1) to a large scale residential (R-L). This will allow for the construction of 29 duplex (58 units) residential structures for owner-occupied housing. This matter has been reviewed and approved by the city's Planning and Zoning Commission and is being forwarded for City Council's consideration and approval. Prior to any formal action by Council, 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 proposed zoning change at the intersection of Tipton Road and the U.S. 61 Bypass for Thursday, March 16, 2006, at 7 p.m.

J. Request Approval to Declare Drug Task Force Vehicle as Surplus

Presented for City Council's consideration is a request to approve the Drug Task Force vehicle as surplus. Recently the Muscatine County Drug Task Force Board voted to replace the 2002 Pontiac Montana mini-van that is currently used by the police officer assigned to the Drug Task Force. Originally the vehicle was purchased using Drug Task Force funds for the purpose of those investigations. The vehicle is titled to the City of Muscatine, and in order for the vehicle to be used in the acquisition of a new vehicle, the city must declare it as surplus. Once a new vehicle is purchased, it will also be titled to the City of Muscatine.

At this time City Council could take action to declare the Drug Task Force vehicle as surplus property to allow for its disposal.

K. Request Approval to Set Date for Spring Cleanup Week

Presented for City Council's consideration is a request to approve Spring Cleanup Week. Annually the City Council establishes a "Spring Cleanup Week" at which time residents are encouraged to engage in spring cleaning and beautification of their property. It is being proposed that Spring Cleanup Week for 2006 be established for the week of April 24-28, 2006.

At this time City Council could take action to establish the date for Spring Cleanup Week for April 24-28, 2006.

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – February 1, 6 & 13, 2006
- B. Senior Resources – January 24, 2006
- C. Library Board of Trustees – January 18, 2006
- D. Historic Preservation Commission – January 18 & 31, 2006
- E. City of Muscatine Financial Reports – January 2006

14. APPROVAL OF BILLS

It is recommended bills totaling \$927,920.49, as well as receipt summaries for January 2006, 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