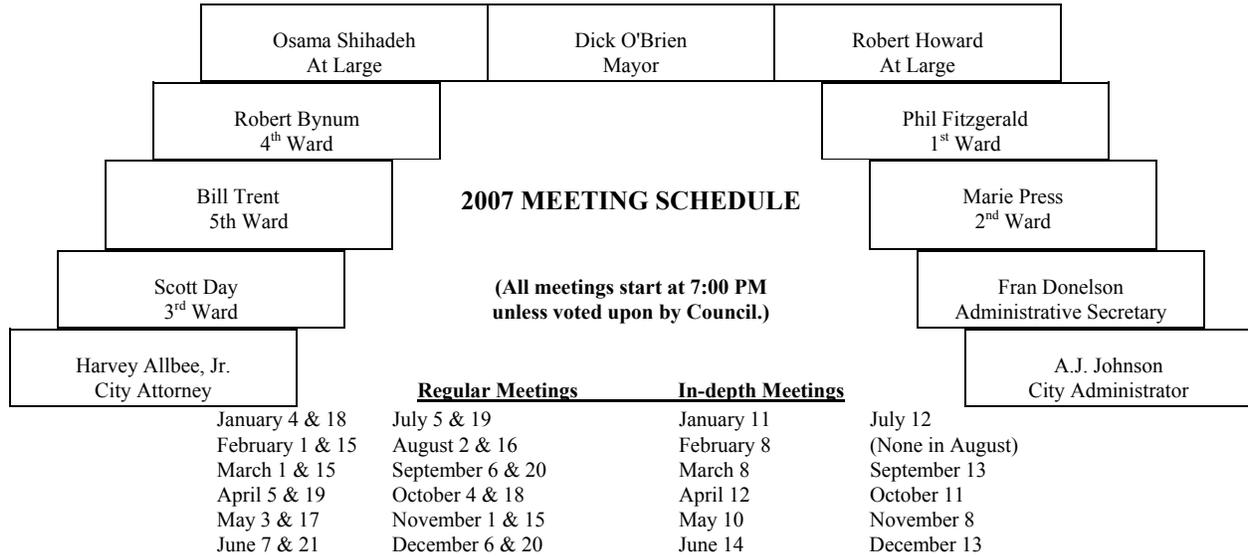


CITY COUNCIL



AGENDA

**THURSDAY, MAY 3, 2007
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. City Council Meeting – April 19, 2007
- B. Annexation Overview – April 24, 2007
- C. Joint City Council/County Board of Supervisors Meeting – April 26, 2007

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-D
- * 13 – A-F
- * Bills*

* Approval of attached Bills for Approval totaling \$1,025,666.43, as well as March 2007 receipt summaries, is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Landscaping for the E. 5th Street Bridge

Previously City Council took action to establish a public hearing for the proposed landscaping for the E. 5th Street Bridge Project. City Council had previously directed staff to complete the landscaping project utilizing city, staff, and/or community volunteers, etc. The public hearing for this project covers the proposed landscaping scheme that will be used to solicit proposals from local landscaping and lawn care companies to assist in this process. The estimated cost for the project is \$8,000.

Now is the time for the public to comment on the proposed landscaping project for the E. 5th Street Bridge Project.

B. Proposed Approval of 2007/2008 Public Housing Agency Plan and Attachments

A public hearing has been scheduled for the 2007/2008 Public Housing Agency Plan and Attachments. In accordance with HUD regulations, the public hearing was set administratively by the Housing Director to meet with the appropriate deadlines as established by the Department of Housing and Urban Development for this action. Periodically the city does take action to review and update its administrative housing plan. Comments are solicited from residents, staff, and representatives of HUD for any updates concerning rules and regulations as well as procedures. Prior to any formal action on the adoption of the plan, a public hearing is required.

Now is the time for the public to comment on the proposed 2007/2008 Public Housing Agency Plan and Attachments.

9. PETITIONS AND COMMUNICATIONS

- A. Request for an Extended Outdoor Service Area Permit for Missipi Brewing Co., 107-111 Iowa Avenue for May 18-20, May 25-27, July 4-8, and August 17-19, 2007 – R&D Operations Ltd.
- B. Request for renewal of a Class BB Beer and Sunday Sales Permit for Hubble’s, 214 E. 2nd Street – Hubbles LLC (pending dram shop insurance)
- C. Request for renewal of a Class BB Beer and Sunday Sales Permit for Pizza Hut of Muscatine Inc., 2512 Park Avenue (pending inspections and receipt of dram shop insurance)
- D. Request Approval of a New Cigarette Permit for The Purple Hedgehog, 204 E. 2nd Street – John Haskins - for the period May 4, 2007 through June 30, 2007
- E. Request Approval for Use of City Property for Outdoor Church Concert at Trinity Episcopal Church

The city recently received a request for the use of city property for an outdoor church concert at the Trinity Episcopal Church. The request would be for the use of the corner of E. 2nd and Walnut streets (front lawn and street) from E. 2nd Street to the alley on Walnut Street. The concert is scheduled for Friday, May 18, 2007, at 6 p.m. The anticipated length of closure for the street will be from 2 p.m. to 10 p.m. Aside from barricades, there is no anticipated additional expense or involvement of city staff on this matter.

Is there a motion to approve the request from the Trinity Episcopal Church for street closure for Friday, May 18, 2007, from 2 p.m. to 10 p.m. for an outdoor concert?

10. FROM THE MAYOR

- A. Proclamation Declaring June 2007 as “Youth Soccer Month”
- B. Proclamation Declaring May 13-19, 2007 as “Police Week” and May 16, 2007 as “Peace Officers’ Memorial Day”
- C. Proclamation Declaring May 2007 as “National Historic Preservation Month”
- D. Proclamation Declaring May 13-19, 2007 as “Iowa School Board Recognition Week”

Is there a motion to approve the above proclamations?

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

A. Request from Fire Department to Submit Grant Application for New VHF Radio System and Construction of Communications Tower

Presented for City Council's consideration is a request from the Muscatine Fire Department to submit a grant application for a new VHF radio system and construction of a communications tower. After reviewing the current and future communication needs of the Fire Department and ambulance service, the grant application for funding for a new system is forwarded for Council's consideration. The potential funding source is the Department of Homeland Security Assistance for Firefighters grant program. The city has successfully utilized this program in the past for acquisition for capital items. The projected cost for replacing the current 800 MHz radio system with a new complaint VHF system would be approximately \$240,000. The grant proposal also includes \$85,000 for a new 180' tower similar to the tower at the Public Safety Building. The grant proposal is due May 5, 2007. If approved, 90% of the \$240,000 would be provided through the grant program with a 10% match required.

Is there a motion to authorize the submittal of a grant application for a new VHF radio system and construction of a communications tower?

B. Resolution Authorizing the 2007/2008 Public Housing Agency Plan and Attachments

Presented for City Council's consideration is a resolution authorizing the 2007/2008 Public Housing Agency Plan and Attachments. Previously a public hearing was held to receive public comment on the proposed plan changes. Periodically the city reviews its housing policies and plans to update them in accordance with HUD procedures and regulations. Copies of the plan are available for public viewing and have been for the past 45 days. No public comments have been received on the plan.

Is there a motion to take action by resolution authorizing the 2007/2008 Public Housing Agency Plan and Attachments as modified and authorizing submittal of the plan to HUD?

C. Resolution Awarding the Contract for the 2007 Street Improvement Project

Presented for City Council's consideration is a resolution awarding the contract for the 2007 Street Improvement Project. As part of the Council's overall goal to aggressively address pavement management issues within the City of Muscatine, a three year plan was set forth by Council to address these needs. For the calendar year 2007, \$1 million was identified to cover anticipated costs for the first year of the implementation of this program. Bids were solicited from qualified vendors with two bids being received. After reviewing the bids and the alternates available, it is staff's recommendation to accept the bid from Illowa Investment Inc. of Blue Grass in the amount of \$1,256,186.85. This alternate includes recycling a minimum of 10% of the current asphalt covering at the pre-identified locations.

Is there a motion to take action by resolution awarding the contract for the 2007 Street

Improvement Project to Illowa Investment Inc. in the amount of \$1,256,186.85?

D. Resolution Awarding the Contract for the 2007 Curb and Gutter and Street Maintenance Project

Presented for City Council's consideration is a resolution awarding the contract for the 2007 Curb and Gutter and Street Maintenance Project. For calendar year 2007 and in conjunction with the pavement management program, \$200,000 was budgeted for this project. Bids were solicited with four companies responding to the solicitation. The lowest responsible bid was received from All American Concrete Inc. of West Liberty in the amount of \$278,917. A correction to the specifications for all four bidders was also taken into consideration resulting in a \$60,000 savings across the board. This resulted in the low bid being lowered by that amount for a total of \$218,917. Again, all bidders received this consideration and discount once the calculation error was factored into the bids.

Is there a motion to take action by resolution awarding the contract for the 2007 Curb and Gutter and Street Maintenance Program to All American Concrete Inc. in the amount of \$218,917?

E. Resolution Approving the Contract and Bond for the Halstead Street Roadway and Infrastructure Improvements

Presented for City Council's consideration is a resolution approving the contract and bond for the Halstead Street Roadway and Infrastructure Improvement Project. Recently the City Council took action to award the contract for this project to Sulzberger Excavating Inc. in the amount of \$62,795.59. The appropriate documentation have been forwarded and approved by city staff. At this time it is appropriate for Council to take action to finalize this action.

Is there a motion to take action by resolution approving the contract and bond for the Halstead Street Roadway and Infrastructure Improvement Project?

F. Resolution Establishing Refuse Collection Monthly Fees and the Guidelines for Collection Fees of Class II Domestic and Commercial Accounts

Presented for City Council's consideration is a resolution establishing refuse collection monthly fees for Class I and Class III domestic waste and the guidelines for collection fees of Class II domestic and commercial accounts. During the city's recent budget review session, Council took action to approve the establishment of new refuse collection rates effective July 1, 2007 through June 30, 2008 for Class I and Class III residential collection, the monthly fee will be increased to \$14 per month for each single family dwelling except for those 65 and older who will be charged \$9.40 per month for each single family dwelling. Class II collections, including multi-family units of six or more dwellings and commercial establishments, will be charged in amounts to be determined by the Refuse Collection Supervisor based on time and volume considerations and will include but not be limited to the cost of labor, operating equipment, landfill charges to be paid.

Is there a motion to take action by resolution establishing the refuse collection monthly fees for Class I and Class III domestic waste and guidelines for collection fees of Class II domestic and commercial accounts?

G. Resolution Setting the Time and Place of a Public Hearing on the Proposed Amendment #2 to the 2006/2007 City Budget

Presented for City Council's consideration is a resolution setting the time and place of a public hearing amending the 2006/2007 city budget. Previously the City Council took action to adopt the fiscal year budget beginning July 1, 2007 through June 30, 2008 and took action on the first amendment of the current fiscal year budget. The second amendment includes additional proposed amendments since that time. The second amendment will increase the total budget expenditures by \$464,700 and budgeted transfers will increase by \$71,200 for a total expenditure change of \$535,900. The budget revenues are proposed to be amended by \$230,300 which includes \$71,200 of funding transfers in. Enterprise Fund amendments are proposed for the golf course, refuse collection, landfill, WPCP, and airport funds.

Is there a motion to take action by resolution establishing a public hearing for Thursday, May 17, 2007, at 7 p.m. for the proposed second amendment of the 2006/2007 city budget?

H. Resolution Approving the Adjustment of Sewer Rates for the Water Pollution Control Plant

Presented for City Council's consideration is a resolution approving the adjustment of sewer rates for the Water Pollution Control Plant. Working with the city's consultant on wastewater treatment rates, a recommendation is being forwarded for consideration for a two-year rate adjustment that would be effective July 1, 2007 through June 30, 2009. Anticipated increases are reflective of additional anticipated costs for capital costs associated with the WPCP renovation project as previously reviewed by City Council. Proposed rate adjustments will also coincide with the city's current contract with Heinz U.S.A. which is set to expire in April 2008. Finally, it is anticipated that the design work for the improvements at the WPCP will be finalized at the time of the expiration of these proposed rate increases which will allow for the city to more thoroughly plan for the rate adjustments necessary to accommodate improvements at the facility.

Is there a motion to take action by resolution adjusting the unit rates found in Title 4, Chapter 4, Sections 4 and 5 of the City Code of Muscatine?

I. Resolution Approving the Final Plat for the Riverbend Fifth Addition to the City of Muscatine

Previously City Council took action to table the resolution approving the final plat for the Riverbend Fifth Addition to the City of Muscatine. At the request of the developer, they have asked that this matter be continued until the May 17, 2007 meeting so that they can be better prepared to address questions raised by Council and neighbors.

If Council is so inclined to allow for this to take place, it would be appropriate to continue

this tabled action until May 17, 2007.

J. Request Approval of Application for WPCP Revolving Loan Fund

Presented for City Council's consideration is a request to approve an application for the WPCP Revolving Loan Fund. Previous action by City Council had authorized the City Administrator to act on behalf of the city to make application through the state's revolving loan fund for improvements at the WPCP. The recent application (April 24, 2007) was made on behalf of the city to cover anticipated design services for this project. The loan application is in the amount of \$900,000. Once the design work has been completed, an additional loan application will be made that will incorporate the current application plus any future funding requests. No payments or accrued interest will begin until such time that the entire project is undertaken by the City of Muscatine.

Is there a motion to confirm the action taken prior to April 24, 2007 for the application for the state's revolving loan fund for design services for the WPCP?

K. Request to Approve Agreement for Professional Engineering Services for the Water Pollution Control Plant Improvements

Presented for City Council's consideration is a request to approve the agreement for professional engineering services for the WPCP improvements. Following a presentation in December 2006 for the proposed improvements at the WPCP, city staff, along with the city's consultant on this project, has been evaluating the most appropriate and cost effective means in addressing the design phase of this project. The city's consultant has been reviewing design services submitted by professional firms to assist them in this process. Following a fairly extensive review process, it is the recommendation from city staff, based on information supplied by the city's consultant on this project, to enter into an agreement for professional engineering services for the WPCP improvements between the city and Veenstra & Kimm Inc. of West Des Moines. The maximum fee for engineering services for design through bid letting and award of contract will be in an amount not to exceed \$865,000. The proposed maximum fee for engineering services during construction will not exceed \$425,000.

Is there a motion to take action to approve the agreement for professional engineering services for the WPCP improvements between the city and Veenstra & Kimm Inc.?

L. Request from Police Department to Submit Grant Application for Funds to Purchase Bulletproof Vests

Presented for City Council's consideration is a request from the Police Department to submit a grant application for funds to purchase bulletproof vests. If approved, the city would take advantage of federal funds available to cover 50% of the cost for acquisition of bulletproof vests for officers. The program requires a 50% local match which will be paid for by the individual officers through the city's buy-back program. All local costs will be born by the officers and reimbursed back to the city.

Is there a motion to take action to authorize the submittal of a grant application for funds to purchase bulletproof vests for police officers?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – April 16, 2007
- B. Library Board of Trustees – March 21, 2007
- C. MP&W Board of Water, Electric, and Communications Trustees – March 29, 2007
- D. Senior Resources – March 27, 2007
- E. NFPA Fire Survey – January 2007
- F. City of Muscatine Financial Reports – March 2007

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,025,666.43, as well as March 2007 receipt summaries, 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