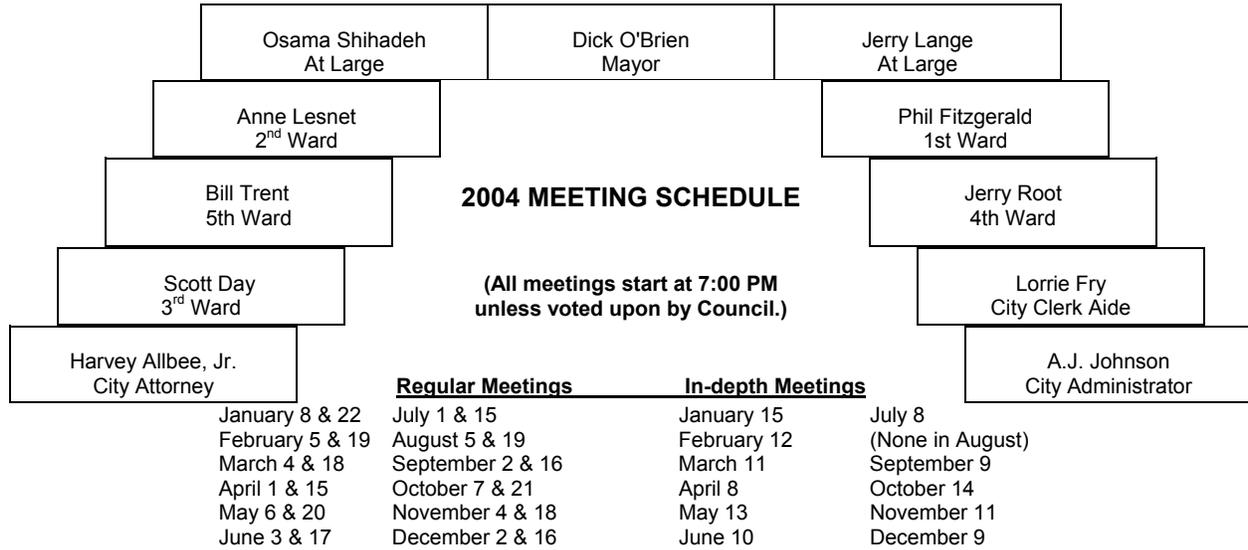


MUSCATINE CITY COUNCIL



AGENDA

**THURSDAY, JUNE 17, 2004, 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 – June 3, 2004
 - B. In-Depth City Council Meeting – June 10, 2004
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-D
- * Bills*

*Approval of attached Bills for Approval totaling \$1,905,378.37 is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

A. Proposed Submission of Application for State and Federal Transit Funding

Previously the City Council took action to establish a public hearing to receive public comment on the submission of an application for state and federal transit funding. In order to receive state and federal assistance for operational and capital needs for the city's transit system, a public hearing is required prior to the formal application being made. For fiscal year 2004/2005, the city is eligible to receive \$144,720 from the state transit assistance program, \$107,274 from federal funds, and \$122,000 from the statewide federal capital assistance program.

Now is the time for the public to comment on the proposed submission of the application for state and federal transit funding assistance for fiscal year 2004/2005.

B. Proposed 2004 CBD Streetscape Improvement Project

Previously the City Council took action to establish a public hearing on the 2004 CBD Streetscape Improvement Project. Included in the fiscal year 2004/2005 budget is \$75,000 to continue the 2nd Street streetscaping program. In partnership with Muscatine Power & Water, the city has completed two phases of streetscaping activity at this time. Phase III of the project would be to undertake sidewalk, curb, gutter and storm sewer inlet work from the intersection of Cedar Street and Iowa Avenue, working in a northeasterly direction to Mulberry Avenue. The estimated cost of the project totals \$113,230.93. Prior to any formal action on this project, a public hearing is required.

Now is the time for the public to comment on the proposed 2004 CBD Streetscape Improvement Project.

C. Proposed Annexation of Pine Ridge Acres Addition to the City of Muscatine

Previously the City Council took action to establish a public hearing on the proposed annexation of the Pine Ridge Acres Addition to the City of Muscatine. The addition which is under development by Gary Karkosh encompasses 9.8 acres of land and, when fully developed, will add an additional 10 new lots to the subdivision and to the city. Mr. Karkosh has indicated a willingness to be

voluntarily annexed. In return the city must provide sanitary sewer to the subdivision as required by the state development board for such annexation activities. Prior to any formal action by City Council on the proposed annexation, a public hearing is required.

Now is the time for the public to comment on the proposed annexation of the Pine Ridge Acres Addition to the City of Muscatine.

D. Proposed Outline Development Plan and Rezoning of Pine Ridge Acres Addition

Previously the City Council took action to establish a public hearing outlining the development plan and rezoning of the Pine Ridge Acres Addition. In conjunction with the voluntary annexation of this subdivision, the city is also working to finalize the development plan and rezoning opportunities for this addition. It is proposed that the subdivision once brought into the city would have a large scale residential zoning (R-L). This zoning classification would be consistent with the city's comprehensive plan and with surrounding properties and their zoning designation. If approved, the Pine Ridge Acres Addition would encompass 9.8 acres of land with 10 new residential lots and one existing residential lot that also serves as a bed and breakfast outlet. The R-L designation would also allow for the existing bed and breakfast to maintain its operational status. Prior to any formal action being taken by Council, a public hearing is required.

Now is the time for the public to comment on the proposed outline development plan and rezoning for the Pine Ridge Acres Addition.

9. PETITIONS AND COMMUNICATIONS

- A. Request on second reading for a new Class B Beer and Sunday Sales Permit for China Buffet, 1903 Park Avenue – China Buffet of Muscatine Inc.
- B. Request for renewal of a Class A Liquor License for VFW Club, 421 Mulberry Avenue – Veterans of Foreign Wars Club Inc.
- C. Request for renewal of a Class C Beer and Sunday Sales Permit for Hyink's Standard, 1206 E. 2nd Street – Hyink's Service Inc.
- D. Request approval of 30 cigarette permits effective July 1, 2004 through June 30, 2004
- E. Request from Performing Arts Muscatine for Use of City Property on July 4, 2004

Presented for City Council's consideration is a request from Performing Arts Muscatine for use of city property on July 4, 2004. As part of the 4th of July celebration, Performing Arts Muscatine has asked for permission to close the 200 block of W. 2nd Street between Chestnut and Pine streets, the parking lot at 2nd and Pine streets, Chestnut Street from W. 2nd Street to Mississippi Drive, and

Pine Street from alley to alley on either side of W. 2nd Street. The proposed 4th of July celebration is to include a live band, food vendors, and games. The activity will begin at 8 a.m. and go until 11 p.m. Performing Arts Muscatine has also requested a number of other city services to be provided in conjunction with this event. This request will still have to be reviewed by city staff for appropriate request of services.

At this time City Council could take action on the request from Performing Arts Muscatine for the closure of W. 2nd Street between Chestnut and Pine streets, the parking lot at 2nd and Pine streets, Chestnut Street from W. 2nd Street to Mississippi Drive, and Pine Street from alley to alley on either side of W. 2nd Street on July 4, 2004 from 8 a.m. until 11 p.m.

F. Request from Human Rights Commission for Suspension of Service

Presented for City Council's consideration is a request from the Human Rights Commission for suspension of service for six calendar months beginning July 1, 2004.

At this time City Council could take action on this request.

G. Mad Creek System Review

Presented for City Council's consideration is a review of the Mad Creek Lift Station. On May 26, 2004, City Council took action to approve an agreement with Stanley Consultants Inc. to evaluate the performance of the Mad Creek Lift Station. The presentation will be made by representatives of Stanley Consultants to outline particular changes and improvements to be made both at the Mad Creek and Hershey Avenue lift stations. Future Council action on aspects of this report is anticipated. At this time a review and summary of the report will be presented to Council.

10. **FROM THE MAYOR**

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

A. Resolution Approving the Final Plat for the Taylor Land Development in the City of Muscatine

Presented for City Council's consideration is a resolution approving the final plat for the Taylor land development in the City of Muscatine. On May 13, 2003, the Planning & Zoning Commission reviewed and approved a three-lot light industrial subdivision off Highway 61 North known as Taylor Acres. The purpose of the subdivision request was to allow for future commercial/industrial development. On June 5, 2003, the City Council approved a resolution that accepted the final plat of Taylor Acres. However, the plat was never recorded with the county so it was never officially completed. The Taylor family is now working to develop the

5.397 acre property. The developers have requested minor modifications to the property lines to better suit their development plans for this site. The city's Planning & Zoning Commission reviewed the final plat for the Taylor Land development at their regular meeting of June 8, 2004 and recommend that City Council approve the final plat as submitted.

At this time City Council could take action by resolution approving the final plat for the Taylor land development in the City of Muscatine.

B. Resolution Approving the Final Plat of Bloomington Hollow – County Subdivision

Presented for City Council's consideration is a resolution approving the final plat of the Bloomington Hollow county subdivision. The city's Planning & Zoning Commission reviewed and approved the final plat for the 19-lot single family residential development west of North Isett Avenue off of Bayfield Road. The proposal is to subdivide 32.688 acres into 19 lots. The Planning & Zoning Commission has reviewed this request and recommends the approval of the final plat.

At this time City Council could take action by resolution approving the final plat of the Bloomington Hollow county subdivision.

12. FROM THE CITY ADMINISTRATOR

A. Resolution Approving the Annexation of the Pine Ridge Acres Addition to the City of Muscatine

Presented for City Council's consideration is a resolution approving the annexation of the Pine Ridge Acres Addition to the City of Muscatine. Previously a public hearing was held to receive public comment on the proposed voluntary annexation of the Pine Ridge Acres Addition to the City of Muscatine. The annexation, if approved, would bring 9.8 acres of property into the city limits that will then be developed for residential activity. Voluntary annexation actions are governed by the Iowa State Board of Development and the process set forth in the public hearing and the subsequent resolution to adopt are outlined by that board. As part of the annexation action, City Council previously committed to provide sanitary sewer to the property in an expeditious manner in order to facilitate development activities. Under state development board regulations, city services must be provided to annexed property within a three-year time frame. Estimated costs for the extension of sanitary sewer including engineering and design work will be in an amount not to exceed \$100,000. Funding for this project will be provided through the sanitary sewer extension and reserve account program.

At this time City Council could take action by resolution approving the annexation of the Pine Ridge Acres Addition to the City of Muscatine.

B. Resolution Approving the Outline Development Plan for the Pine Ridge Acres Addition

Presented for City Council's consideration is a resolution approving the outline development plan for the Pine Ridge Acres Addition. Previously the City Council conducted a public hearing on the proposed development plan and rezoning of the Pine Ridge Acres Addition. The proposal submitted for Council's consideration once the annexation process has been completed would be to convert the property to a large scale residential (R-L) district. This would allow for an additional 10 residential lots to be developed as well as allow for the existing bed and breakfast/residential property to remain in place and in operation. All of the rules and procedures according to the city's subdivision regulations will be adhered to for this subdivision as well.

At this time City Council could take action by resolution approving the outline development plan for the Pine Ridge Acres Addition.

C. First Reading of an Ordinance Rezoning the Pine Ridge Acres Addition

Presented for City Council's consideration is the first reading of an ordinance rezoning the Pine Ridge Acres Addition. Previously the City Council conducted a public hearing and has taken a number of actions concerning the proposed voluntary annexation of the Pine Ridge Acres Addition and the development plan and rezoning of that addition. By taking action on the first reading of this ordinance, the Council will move forward in the rezoning action from a county residential (R-2) to a city large scale residential (R-L) district.

At this time City Council could take action on the first reading of an ordinance amending the zoning ordinance of the City of Muscatine.

D. Resolution Authorizing Application for Annual State and Federal Transit Funding Assistance

Presented for City Council's consideration is a resolution authorizing the application for the annual state and federal transit funding assistance. Previously the City Council conducted a public hearing on the proposed application for state and federal transit funding assistance. In total the city will receive \$144,720 from the state transit assistance program, \$107,274 from the federal formula funds, and \$122,000 from the statewide federal capital assistance program for transit operations. Monies from the state and federal sources help to assist in the operational and capital needs of the city's transit operation for the next fiscal year.

At this time City Council could take action by resolution authorizing the application for the annual state and federal transit funding assistance program.

E. Resolution Approving the Plans and Specifications and Setting the Bid Opening Date for the 2004 CBD Streetscape Improvement Project

Presented for City Council's consideration is a resolution approving the plans and specifications and setting the bid opening date for the 2004 CBD Streetscape Improvement Project. Previously the City Council took action to conduct a public hearing on the proposed 2004/2005 CBD Streetscape Improvement Project. City Council has allocated \$75,000 for this work to be completed in the 2004/2005 fiscal year. Engineering estimates for the project at this time are \$113,230.93. The work identified by staff would complete the project as originally proposed and would include removal of brick sidewalks, removal of planters, repair or replacement of sidewalks, curb and gutters, and the installation of handicap access points at intersections. Once the final bids are received, the City Council can take action to identify which components of the project they wish to move forward on based on funding availability.

At this time City Council could take action by resolution approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for Wednesday, July 7, 2004, for the 2004 CBD Streetscape Improvement Project.

F. Resolution Setting Time and Place of a Public Hearing for the Fuller Park Trail

Presented for City Council's consideration is a resolution setting the time and place of a public hearing for the Fuller Park Trail. Previously the City Council received an update from staff at their in-depth meeting concerning the development of the Fuller Park trail system. Working in conjunction with Muscatine Power & Water, the Muscatine School District, and the Muscatine County Conservation Board, it is proposed to develop a Fuller Park trail system that would link all four public entities together. The estimated cost of this project is not to exceed \$100,000. Funds have been allocated from the 1% local option sales tax for the storm sewer maintenance road and from the Houser Street Improvement Project for the expansion of the component of this project. Yet to be identified is the funding source for the approximately remaining \$50,000 for the project. Prior to any formal action by Council on this matter, 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 Fuller Park Trail Project for Thursday, July 1, 2004, at 7:00 p.m.

G. Resolution Authorizing Issuance of \$1,885,000 Urban Renewal Tax Increment Revenue Bonds

Presented for City Council's consideration is a resolution authorizing the issuance of \$1,885,000 in TIF revenue bonds. The proceeds of this sale are being used for the airport improvement and south end water extension projects. Our three local banks, First National Bank, Community Bank and Central State Bank, are purchasing these bonds. The South End Tax Increment Finance District revenues will service this debt.

At this time City Council could take action by resolution authorizing the sale of \$1,885,000 in TIF Revenue Bonds.

H. Resolution Approving the Official Pay Plan for Non-Union Employees of the City of Muscatine Effective July 1, 2004

Presented for City Council's consideration is a resolution approving the official pay plan for the non-union employees for the City of Muscatine effective July 1, 2004. Incorporated in the fiscal year 2004/2005 budget are funds that would allow for a 2.5% increase for non-union supervisory and management employees for the City of Muscatine. Prior to those raises becoming effective, City Council will need to take action by resolution authorizing such action.

At this time City Council could take action by resolution approving the official pay plan for non-union employees for the City of Muscatine effective July 1, 2004.

I. Request Approval of 2004/2005 Insurance Program

Presented for City Council's consideration is a request to approve the 2004/2005 insurance program. At last week's in-depth meeting an overview was provided for the Council concerning the renewal options for the 2004/2005 insurance coverages for the City of Muscatine. This matter has been reviewed and recommendations made by the city's review committee to accept the proposal which includes renewing our primary lines of coverage with St. Paul Traveler's Company including an additional expense of \$861 to increase coverage under the extra expense category from \$100,000 to \$1 million. The total cost for premiums for the 2004/2005 fiscal year will be \$446,277.

At this time City Council could take action to approve the 2004/2005 insurance program.

J. Request Approval of Change Order for the South End Water Project

Presented for City Council's consideration is a change order to authorize additional work to be undertaken in conjunction with the south end water extension project. As the city has progressed through this project that provides

for the extension of water services to the Progress Park and residential area south and east of that area, the city has discovered that there is a portion of Progress Park that is not currently serviced by water or covered under the original scope of the project. If approved by City Council, the extension would provide for water services on 55th Avenue West north of 49th Street South. There are three lots that would be immediately affected by this change and would incorporate approximately 17 ½ acres of developable property. The Greater Muscatine Chamber of Commerce & Industry is currently working with an industrial prospect who has indicated a willingness to build on one of the available lots if water were made available to the property. The estimated cost for this improvement will be \$85,569. This includes a 10% contingency of \$7,324.50. There is sufficient capacity within the funding source for the original project to accommodate this change order.

At this time City Council could take action to approve the change order for additional work for the south end water extension project.

K. Request Authorization to Write Off Miscellaneous Receivables

Presented for City Council's consideration is a request for authorization to write off miscellaneous receivables. Periodically the city staff takes action to forward to Council requests for the write off of miscellaneous receivables that are uncollectible at this time. Many attempts have been made to collect these outstanding charges without success over the past several years. There are six outstanding receivables totaling \$1,541.35.

At this time City Council could take action authorizing the write off of miscellaneous receivables in the amount of \$1,541.35.

L. Request Authorization to Write Off Outstanding Ambulance Receivables

Presented for City Council's consideration is a request for authorization to write off outstanding ambulance receivables. This request would cover the fiscal year 2001/2002 ambulance receivable balance. Total collectible charges for the year equal \$829,711. The city has received \$705,244 representing an 85% collection rate on collectible charges and a 75.1% collection rate on total charges. Of the unpaid balance of \$124,467, a total of \$102,738 is still in the collection process. This request is for the remaining \$21,729 to be written off as uncollectible.

At this time City Council could take action to authorize the write off of \$21,729 in uncollectible payments for the 2001/2002 ambulance receivables balances.

M. Request Approval of Right-of-Way Acquisition in Association with the E. 5th Street Bridge Project

Presented for City Council's consideration is a request to approve the right-of-way acquisition in association with the E. 5th Street Bridge Project. The city has

been working toward land acquisition in association with the proposed E. 5th Street Bridge Project for the last two years. The final piece of the acquisition has been arranged and presented for City Council's authorization at this time. It is proposed that the city purchase approximately 10.6 acres of property from Don Morgan of Morgan Trucking located adjacent to the existing E. 5th Street Bridge. The compensation for the property will be \$364,000. In addition, there will be a moving and site preparation expense for the transition to Progress Park of \$30,000.

At this time City Council could take action to approve the request to purchase right-of-way acquisition in association with the E. 5th Street Bridge Project from Don Morgan of Morgan Trucking in an amount of \$394,000.

N. Request Approving 28E Agreement for 2004/2005 Police Services for the City of Fruitland

Presented for City Council's consideration is a request to approve the 28E agreement for the 2004/2005 police services for the City of Fruitland. The City of Muscatine has been providing the City of Fruitland with police patrol and other services on a contract basis. Submitted to the City of Fruitland was a contract for such services beginning July 1, 2004 through June 30, 2005. At the City of Fruitland's June meeting, they took action to approve the contract that calls for a 3.5% increase in fees for such services. For the fiscal year beginning July 1, 2004 through June 30, 2005, the City of Muscatine will receive the amount of \$32,000 for police services provided to the City of Fruitland.

At this time City Council could take action to approve the 28E agreement for the 2004/2005 police services for the City of Fruitland.

O. Review of 3rd and Chestnut Properties

Presented for City Council's consideration is an opportunity to make public comment and provide direction to staff concerning the status of the two properties owned by the city at the intersection of 3rd and Chestnut streets. The city has received a review from the State Historical Society concerning the status of these properties and at this time we will be forwarding on to the Department of Housing and Urban Development that report as well as the recommendation from the local housing authority (City Council). Overviews will be provided by city staff at this time to allow Council to direct an appropriate response.

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – May 24, 2004
- B. Planning & Zoning Commission – May 11, 2004
- C. Historic Preservation Commission – May 11, 2004
- D. Police Department Monthly Report – May 2004

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,905,378.37 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 Authorization to Enter Closed Session for Personnel Review

17. ADJOURNMENT