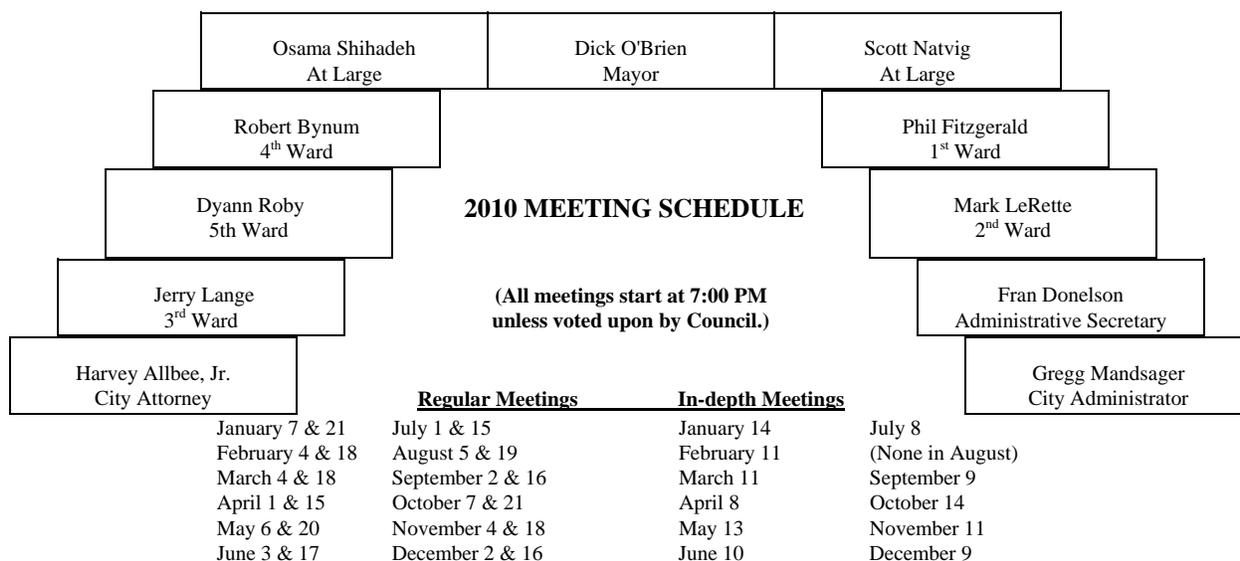


COUNCIL



AGENDA

THURSDAY, JULY 15, 2010 COUNCIL CHAMBERS - CITY HALL

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **COMMUNICATIONS – CITIZENS**
6. **MINUTES - APPROVAL**
 - A. City Council Meeting – June 17, 2010
 - B. City Council Meeting – July 1, 2010
 - C. City Council In-Depth Meeting – July 8, 2010

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 on the Agenda.

- * 9 – A-B
- * 13 – A-D
- * Bills*

* Approval of attached Bills for Approval totaling \$2,350,884.61 is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

- A. Proposed Plans, Specifications, Form of Contract and Cost Estimate for the Sunset Park Resident Center

This public hearing pertains to the proposed plans, specifications, form of contract, cost estimate and setting a bid opening date for the Sunset Park Resident Addition. On May 20, 2010, City Council took action to authorize a professional planning and design service contract with Neumann Monson for a 1,240 square foot Resident Center addition to the existing Sunset Park office building. It is now necessary to adopt the resolution relating to the construction of the addition. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

9. PETITIONS AND COMMUNICATIONS

- A. Request for renewal of a Class B Beer and Sunday Sales Permit for Happy Joe’s Pizza & Ice Cream Parlor, 927 Grandview Avenue – Max Brewer Corp.
- B. Request for renewal of a Class C Beer and Sunday Sales Permit for Circle K #6600, 8th & Cypress Streets – Mac’s Convenience Stores LLC
- C. Request for Use of City Property for “Hats Off to Seniors” Fund Raising

Presented for City Council’s consideration is a request for the use of city property for a “Hats Off to Seniors” fundraiser being held by Senior Resources. The proposed event will take place July 26-30, 2010 between the hours of 8 a.m. and 5:30 p.m. at the proposed locations of Parham and Mulberry, Cedar and Mulberry, and 9th and Cypress streets. The fundraising will take place in two hour increments. Senior Resources plans to advertise the event and place signs at the intersections.

Is there a motion to approve the request as submitted?

D. Request Approval to Use City Property for 19th Annual MDA Fund Raiser

A request has been received from the Muscatine Association of Firefighters Local #608 to hold this year's 19th Annual Muscular Dystrophy's "Fill the Boot" fundraiser on August 18-20, 2010. If approved, the locations would be at the intersections of 8th and Cedar streets and Park Avenue and Lake Park Boulevard from 10 a.m. to 1 p.m. and from 4 p.m. to 7 p.m. The fundraiser will be conducted by off-duty firefighters, and liability insurance will be provided by the MDA. It is also being requested that two rain dates be set at this time to allow for inclement weather.

Is there a motion to approve the request as submitted?

10. FROM THE MAYOR

A. Proclamation Supporting the Sesquicentennial Commemoration of the Civil War

11. FROM THE PLANNING AND ZONING COMMISSION

A. Resolution Setting Public Hearing for the Proposed Zoning Change for Lincolnshire Professional Plaza

Presented for City Council's consideration is a resolution setting a public hearing on a proposed zoning change for Lincolnshire Professional Plaza. City staff has been working with Joseph's Int'l Pack-N-Ship located at 200 Cleveland Street concerning plans to expand the existing business located within the Lincolnshire Professional Plaza. To facilitate the expansion, it is necessary to change the zoning from RL (Large Scale Residential) to C-3 (Planned Commercial). The other business owners at this location support the zoning change. The Planning & Zoning Commission will be making their recommendation following their review of this request. Prior to any formal action by Council, a public hearing is required. The public hearing will be held on Thursday, August 5, 2010, at 7 p.m.

Is there a motion to adopt the resolution as submitted?

12. FROM THE CITY ADMINISTRATOR

- A. Second Reading of an Ordinance Amending Title 5, Business Regulations, Chapter 10, Salvage, Junk Dealers, and Refuse Haulers (Flow Control Ordinance)

Presented for City Council's consideration is the second reading of an ordinance amending Title 5, Business Regulations, Chapter 10, Salvage, Junk Dealers, and Refuse Haulers. The purpose of this proposed ordinance is to create flow control of solid waste to the city's facilities to offset the lack of tonnage caused by the economic downturn and waste that is leaving our service area. The revenue received will assist in paying down the deficit at the Muscatine County Landfill.

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

- B. First Reading of an Ordinance Amending Title 1, Chapter 2, Section 7 of the City Code of Muscatine Pertaining to Municipal Infractions

Presented for City Council's consideration is the first reading of an ordinance amending Title 1, Chapter 2, Section 7 of the City Code of Muscatine pertaining to municipal infractions. The purpose of this ordinance is to update the city's municipal infraction fees.

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

- C. Resolution Approving the Plans, Specifications, Form of Contract, Cost Estimate and Setting Bid Opening Date for the Sunset Park Resident Center

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract, cost estimate and setting a bid opening date for the Sunset Park Resident Addition. On May 20, 2010, City Council took action to authorize a professional planning and design service contract with Neumann Monson for a 1,240 square foot Resident Center addition to the existing Sunset Park office building. It is now necessary to adopt the resolution relating to the construction of the addition and set a bid opening date of August 13, 2010.

Is there a motion to adopt the resolution as submitted?

- D. Resolution Approving the Muscatine Municipal Housing Agency's Section 3 Policy Manual

Presented for City Council's consideration is a resolution approving the Muscatine Municipal Housing Agency's Section 3 Policy Manual. The Muscatine Municipal Housing Agency (MMHA) is the recipient of certain funds from the Department of Housing and Urban Development (HUD). City staff has reviewed federal regulations and HUD recommendations and is now recommending the adoption of the MMHA

Section 3 Policy Manual to allow compliance with HUD regulations.

Is there a motion to adopt the resolution as submitted?

- E. Resolution Approving the Contract and Bond for the 2010 Curb and Gutter and Street Maintenance Program

Presented for City Council's consideration is a resolution approving the contract and bond for the 2010 Curb and Gutter and Street Maintenance Program. On July 1, 2010 City Council awarded the contract for this program to BMW Builders II in the amount of \$106,544.10. Staff has reviewed the contract documents and is recommending their approval.

Is there a motion to adopt the resolution as submitted?

- F. Resolution Setting a Public Hearing for the West Hill Sewer Separation Project

Presented for City Council's consideration is a resolution setting a public hearing for the West Hill Sewer Separation Project. On September 7, 2007, the city received a Consent Order from the Environmental Protection Agency requiring the submission of a report to the EPA and Iowa Department of Natural Resources describing projects needed to complete the separation of the remaining combined portions of the sewer system including the West Hill area. This report must be submitted by December 31, 2010. Stanley Consultants has completed a Comprehensive Report for this project which has been reviewed by city staff. At this time city staff is requesting a public hearing be held on Thursday, August 5, 2010, at 7 p.m. for review of this study.

Is there a motion to adopt the resolution as submitted?

- G. Resolution Amending and Approving the Official Pay Plan for Non-Union employees of the City of Muscatine Effective August 1, 2010 – Art Center Registrar

Presented for City Council's consideration is a resolution amending and approving the official pay plan for non-union employees of the City of Muscatine effective August 1, 2010 – Art Center Registrar. This position is currently funded by the city at 20 hours per week with an additional 9 to 10 hours funded through the Muscatine Art Center Support Foundation. The Art Center Board of Trustees is requesting this position be made full time. This could be accomplished by eliminating the Education Coordinator's position (\$18,429) and the Board's commitment to fund 25% of the position including full-time benefits from the Support Foundation. In addition, if there is a change in health insurance coverage, the additional cost would be funded from non-city sources.

Is there a motion to adopt the resolution as submitted?

H. Resolution Accepting Completed Work for a CDBG Housing Rehabilitation Project at 1407 Mill Street

Presented for City Council's consideration is a resolution accepting completed work for a CDBG Housing Rehabilitation Project at 1407 Mill Street. On March 10, 2010 the city entered into a contract with North Construction in the amount of \$34,987 for rehabilitation of this property. The project was completed on July 9, 2010 and along with subsequent change orders meets the specifications outlined in the initial contract. Therefore, it is staff's recommendation the completed work for the project be accepted and final payment made to the contractor.

Is there a motion to adopt the resolution as submitted?

I. Resolution Accepting a Fiscal Year 2011 Resource Enhancement & Protection (REAP)-Historic Resource Development Project (HRDP) Grant Award Pertaining to the Alexander Clark House

Presented for City Council's consideration is a resolution accepting a Fiscal Year 2011 REAP-HRDP grant award to develop a nomination to identify the Alexander Clark House located at 203 W. 3rd Street as a National Historic Landmark. The grant, totaling \$10,500, will be matched by \$2,625 in non-municipal funding (already deposited with the city) and \$2,625 of in-kind services provided by a private citizen to help in the application process.

Is there a motion to adopt the resolution as submitted?

J. Request Approval of the Contract Between the City of Muscatine and the Louisa County Solid Waste Management Agency for Household Hazardous Waste Services

Presented for City Council's consideration is a request to approve a Household Hazardous Materials Service Agreement between the Louisa County Solid Waste Management Agency and the City of Muscatine. Previously the city had entered into an agreement to provide services for the proper handling and disposal of household hazardous materials for Louisa County residents. It will be effective August 1, 2010 through July 31, 2011.

Is there a motion to approve the request as submitted?

K. Request Approval of the Agreement for Construction Management for the Clay Street Bridge Improvements

Presented for City Council's consideration is a request to approve an agreement for construction management for the Clay Street Bridge Improvements. Shoemaker-Haaland of Coralville was hired to provide the design work for the Clay Street Bridge Improvements. Oversight of the construction is needed and the city does not have

staff available to provide this construction observation. Staff recommends the city enter into an agreement with Shoemaker-Haaland for project management at a cost of \$22,988.

Is there a motion to approve the request as submitted?

L. Request Approval to Upgrade City Council Chambers Broadcast Equipment

Presented for City Council's consideration is a request to approve the upgrade to the City Council Chambers broadcast equipment. Per the city's request, Muscatine Community College solicited bids for the replacement of this equipment. Three bids were received with the low bid from ECS Equipment of Davenport, Iowa, in the amount of \$17,323.60.

Is there a motion to approve the request as submitted?

M. Request to Approve the Purchase of a Seeder for the Parks Department

Presented for City Council's consideration is a request to approve the purchase of a seeder for the Parks Department. Three bids were received with the low bid from Elder Implement for a Land Pride APS1572 in the amount of \$5,400. This seeder will replace equipment purchased in 1999. There was \$13,000 budgeted for this purchase.

Is there a motion to approve the request as submitted?

N. Request to Approve the Purchase of an Aerifier for the Parks Department

Presented for City Council's consideration is a request to approve the purchase of an aerifier for the Parks Department. Two bids were submitted with the low bid from Turfwerks for a 544317A Ryan Renovair aerifier in the amount of \$7,678. This aerifier will replace equipment purchased in 1993. There was \$8,000 budgeted for this purchase.

Is there a motion to approve the request as submitted?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – June 21, 2010
- B. Historic Preservation Commission – May 19, 2010 and June 1, 2010
- C. MP&W Board of Water, Electric, and Communications Trustees – May 25, 2010
- D. NFPA Survey – May 2010

14. APPROVAL OF BILLS

It is recommended bills totaling \$2,350,884.61 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 to enter a Closed Session to discuss a pending personnel issue with potential action to follow

17. ADJOURNMENT