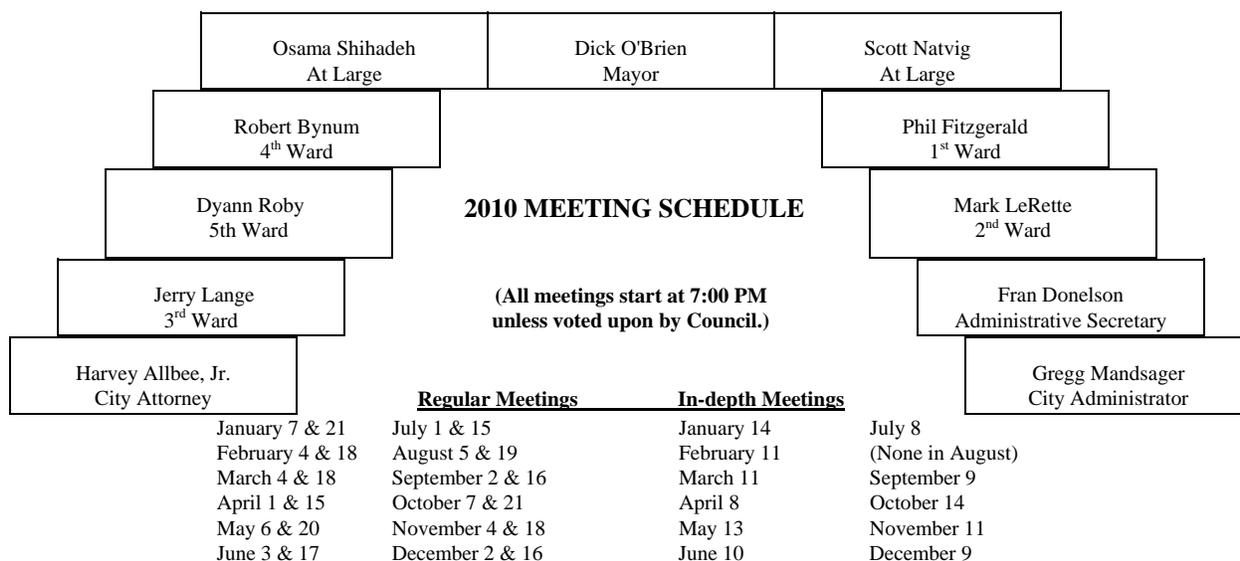


# COUNCIL



## AGENDA

### **THURSDAY, SEPTEMBER 2, 2010 COUNCIL CHAMBERS - CITY HALL**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **COMMUNICATIONS – CITIZENS**

A. Public Appeal of Nuisance Abatement Concerning Property Located at #6 Alleyne Drive

At this time the owner of the property at #6 Alleyne Drive will present his appeal of the nuisance abatement.

6. **MINUTES - APPROVAL**

- A. City Council Meeting – August 19, 2010
- B. Special City Council Meeting – August 26, 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-B
- \* Bills\*

\* Approval of attached Bills for Approval totaling \$980,913.10 is subject to the approval of any related agenda item(s).

8. **PUBLIC HEARING**

- A. Proposed Vacation of Easements and Rights-of-Way in the Cedars First and North Port Commons Additions

This public hearing concerns the proposed vacation of easements and rights-of-ways in the Cedar First and North Port Commons Additions. A request has been received from VMI North Port Commons LLC to vacate portions of existing easements and rights-of-way in these additions that will provide a 2.5 acre site for construction of a new retail business and parking lot. The Planning and Zoning Commission conducted an on-site viewing of the proposed subdivision and vacation request and voted unanimously to approve the request as submitted. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

- B. Proposed Vacation of a Sanitary Sewer and Easement for Carrington Place

This public hearing concerns the proposed vacation of a sanitary sewer and easement for Carrington Place located at 3440 Mulberry Avenue. Carrington Place has agreed to make modifications to the sewer located on their property in an effort to reduce residential sewer backups in the area caused by debris being flushed into the line. Since the sewer was originally dedicated to the city, it is necessary for the city to vacate the easement and sewer to Carrington so the modifications can be made. The

Planning and Zoning Commission has reviewed the request and voted unanimously to recommend its approval. 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. First reading on a new Class B Beer and Sunday Sales Permit for Pete’s Tap, 1820 Angle Street – Oscar’s LLC (pending inspections)
- B. Second reading on a new Class C Liquor License and Sunday Sales Permit for China Garden, 2016 Cedar Plaza Ste. #3 – China Garden at Cedar Plaza Inc. (pending receipt of final paperwork)
- C. Presentation by Safe Streets on a Crime Free Lease Addendum

At this time a presentation will be made by a Safe Streets representative concerning a Crime Free Lease Addendum.

**10. FROM THE MAYOR**

- A. Proclamations Declaring September 12-18, 2010 as “National Assisted Living Week” and September 19-25, 2010 as “National Adult Services Week”

Is there a motion to adopt the proclamations as submitted?

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

**12. FROM THE CITY ADMINISTRATOR**

- A. First Reading of an Ordinance Approving Partial Vacation of Rights-of-Way and Easements Located within the Cedars First and North Port Commons Additions

Presented for City Council’s consideration is the first reading of an ordinance approving the partial vacation of rights-of-way and easements located within the Cedars First and North Port Commons Additions. A request has been received from VMI North Port Commons LLC to vacate portions of existing easements and rights-of-way in these additions that will provide a 2.5 acre site for construction of a new retail business and parking lot. The Planning and Zoning Commission conducted an on-site viewing of the proposed subdivision and vacation request and voted unanimously to approve the request as submitted.

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

B. Second Reading of an Ordinance Amending Title 7 Police Regulations, Chapter 20 Traffic, Adding a New Section 10 Automated Traffic Enforcement

Presented for City Council's consideration is the second reading of an ordinance amending Title 7 Police Regulations, Chapter 20 Traffic, adding a new Section 10 Automated Traffic Enforcement (ATE). On December 17, 2009, City Council took action to award the contract for the ATE control system to Gatso USA. Prior to the installation of the ATE's, City Council must first amend the ordinance to add a section on Automated Traffic Enforcement.

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

C. Final Reading of an Ordinance Rezoning the Lincolnshire Professional Plaza Addition

Presented for City Council's consideration is the final reading of an ordinance rezoning the 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). It is staff's recommendation that City Council take action to approve the final reading of the ordinance changing the zoning for the Lincolnshire Professional Plaza.

Is there a motion to adopt the final reading of the ordinance and direct for its publication as required by law.

D. Resolution Approving the Vacation and Transfer of the Sanitary Sewer and Easement to Carrington Place

Presented for City Council's consideration is a resolution approving the vacation and transfer of the sanitary sewer and easement to Carrington Place located at 3440 Mulberry Avenue. Carrington Place has agreed to make modifications to the sewer located on their property in an effort to reduce residential sewer backups in the area caused by debris being flushed into the line. Since the sewer was originally dedicated to the city, it is necessary for the city to vacate the easement and sewer to Carrington so the modifications can be made. The Planning and Zoning Commission has reviewed the request and voted unanimously to recommend its approval.

Is there a motion to adopt the resolution as submitted?

E. Resolution Approving the Contract and Bond for the Resident Addition at Sunset Park

Presented for City Council's consideration is a resolution approving the contract and

bond for the resident addition at Sunset Park. On August 19, 2010 City Council took action to award the contract for the construction of the resident center to North Construction in the amount of \$113,725. Staff has reviewed the contract documents and is recommending their approval.

Is there a motion to adopt the resolution as submitted?

F. Resolution Accepting Low Bid and Awarding and Approving Contract and Bond for the Removal of a Diesel Tank and Replacement of Concrete at Clark House

Presented for City Council's consideration is a resolution accepting the low bid and awarding and approving the contract and bond for the removal of a diesel tank and replacement of concrete at the Clark House. Bids were solicited for the removal of an unused diesel fuel storage tank that lies underground behind the Clark House Apartments. Two bids were received with the low bid from Triple B Construction of Wilton in the amount of \$27,152.35. There is \$23,000 included in the fiscal year 2010 Clark House Capital Improvement Budget for this project. The remaining balance will come from Housing's available fund balance. Staff has reviewed the contract documents and is recommending their approval.

Is there a motion to adopt the resolution as submitted?

G. Resolution Supporting Continuation of AirTran Airways Service to the Bi-State Region

Presented for City Council's consideration is a resolution supporting the continuation of AirTran Airways service to the Bi-State region. AirTran Airways, which has provided low fares to residents of the Bi-State region, recently decided to cease its Atlanta service effective November 30, 2010. The purpose of this proposed resolution offers City Council's support of the Quad City Airport's continued dialog with AirTran Airways to potentially reinstate the Atlanta route in the future.

Is there a motion to adopt the resolution as submitted?

H. Request Approval to Purchase Mower for Greenwood Cemetery

Presented for City Council's consideration is a request to purchase a mower for Greenwood Cemetery. Four bids were received with the low bid from Turfwerks of Johnston, Iowa, in the amount of \$9,650 for a Ferris Zero Turn IS3100 mower. This mower will replace the mower at the cemetery and will have the capability to efficiently operate without a side discharge option. There is \$10,000 budgeted for this purchase.

Is there a motion to approve the request as submitted?

I. Request to Purchase Property from the Iowa Department of Transportation for Phase II of the Mad Creek Levee Improvement Project

Presented for City Council's consideration is a request to purchase property from the Iowa Department of Transportation for Phase II of the Mad Creek Levee Improvement Project. The city is completing the process of acquiring temporary and permanent easements for this project. In order to prepare the final plans and specifications, it is necessary to have all property needed acquired and ready for construction. The Offer and Easement Plat being submitted for approval is a permanent easement with the IDOT.

Is there a motion to approve the request as submitted?

J. Request to Accept Donation of Permanent and Temporary Easements from HNI for Phase II of the Mad Creek Levee Improvement Project

Presented for City Council's consideration is a request to accept a donation of permanent and temporary easements from HNI for Phase II of the Mad Creek Levee Improvement Project. The city is completing the process of acquiring temporary and permanent easements for this project. In order to prepare the final plans and specifications, it is necessary to have all property needed acquired and ready for construction. The Offer of Donation received from HNI Corporation relating to six temporary and permanent easements is recommended for approval.

Is there a motion to approve the request as submitted?

K. Request to Approve Renovations to the Slough Pump Station and Completion of a Design Build Project for Renovations to Buildings at the Bond and Schley Lift Stations

Presented for City Council's consideration is a request to approve renovations to the Slough Pump Station and completion of a design build project for renovations to buildings at the Bond and Schley lift stations. Plans are underway to renovate the building to solve the main problem of freezing during the winter months. Renovations would include insulating and covering the building, replacing the roof and adding fill in the slough over top of the influent pipe to protect from freezing. The anticipated cost is \$60,000 to \$80,000. Work on the buildings at the Bond and Schley lift stations are such that a structural engineer is required. Staff is in the process of putting together specifications to make this a "design build" project with the anticipated cost of \$30,000 to \$40,000 per building. These improvements were not included as part of the 2010/2011 budget.

Is there a motion to approve the request as submitted?

**13. COMMUNICATIONS - RECEIVE AND FILE**

- A. Muscatine County Board of Supervisors – August 9 & 16, 2010
- B. Art Center Board of Trustees – July 15, 2010

**14. APPROVAL OF BILLS**

It is recommended bills totaling \$980,913.10 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**