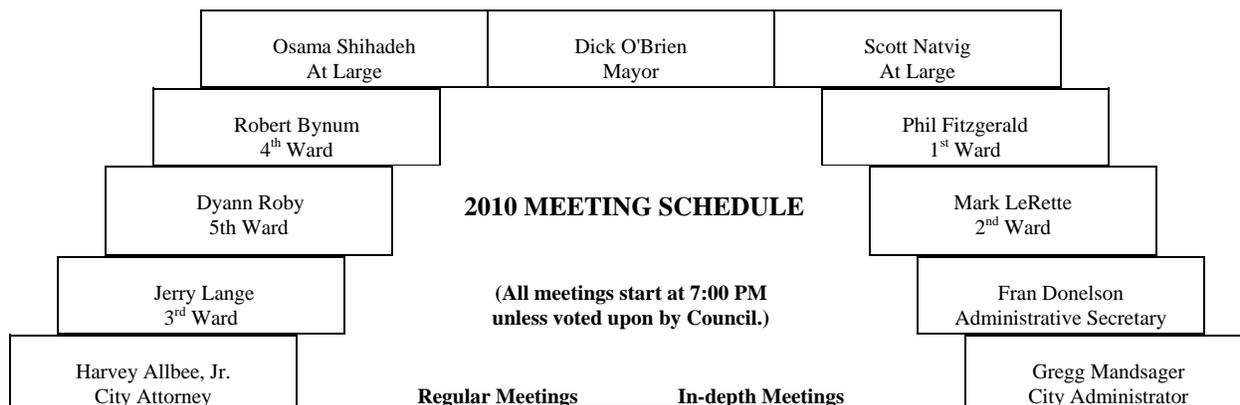


COUNCIL



January 7 & 21 February 4 & 18 March 4 & 18 April 1 & 15 May 6 & 20 June 3 & 17	July 1 & 15 August 5 & 19 September 2 & 16 October 7 & 21 November 4 & 18 December 2 & 16	January 14 February 11 March 11 April 8 May 13 June 10	July 8 (None in August) September 9 October 14 November 11 December 9
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AGENDA

**THURSDAY, MARCH 18, 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 – March 4, 2010
- B. Special City Council Meeting – February 24, 2010
- C. In-Depth Council Meeting – March 11, 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-C
- * Bills*

* Approval of attached Bills for Approval totaling \$1,659,979.62 is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

9. PETITIONS AND COMMUNICATIONS

- A. Second reading for a new Class B Beer and Sunday Sales Permit for Supreme Fitness LLC, 303 Cleveland Street (pending inspections and receipt of final paperwork)
- B. Request for a new Class C Liquor License for Piazza Bella Roos LLC, 3901 Highway 38 North (subject to inspections and receipt of dram shop insurance)
- C. Request Approval to Move Henry Jayne House

Presented for City Council’s consideration is a request to move the Henry Jayne House from 1402 Mulberry Avenue to 1200 Iowa Avenue. Previously, Council had approved a moving date of May 14, 2010; however, Brian Costas, the owner of the house, is now requesting a moving date of March 24, 2010. The move is scheduled to begin at 8 a.m. and be completed by noon. Rain dates are March 25 and 26, 2010. The mover, Jeremy Patterson House Moving Inc. of Washington, Iowa, will obtain the proper permits and furnish the necessary proof of insurance to the Planning, Zoning & Building Safety Department prior to the move.

Is there a motion to approve the request as submitted?

10. FROM THE MAYOR

- A. Proclamations Recognizing the Shriners Hospitals and Endorsing Trinity Muscatine.

Is there a motion to approve the proclamations as submitted?

11. FROM THE PLANNING AND ZONING COMMISSION

- A. Resolution Approving the Final Plat for Blain’s Farm & Fleet Subdivision in the City of Muscatine

Presented for City Council’s consideration is a resolution approving the final plat for the Blain’s Farm & Fleet Subdivision in the City of Muscatine. During the last several months, city staff has been working with representatives of Blain’s Farm & Fleet concerning a proposed subdivision of approximately 1.80 acres of real estate located on the northeast corner of the property they own at 3307 Highway 61 North. The purpose of the proposed subdivision is to allow future development. During a recent on-site viewing of the request, the Planning and Zoning Commission addressed concerns for traffic congestion in that area should the site be developed. At its March 9, 2010 meeting, Commission members reviewed and discussed various options for traffic management in this area. They recommended the approval of the final plat and urged the Site Plan Review Committee and City Council to carefully review development proposals to minimize traffic congestion in the area.

Is there a motion to adopt the resolution as submitted?

- B. Resolution Approving the Combined Preliminary/Final Plat for Haller’s Addition in the City of Muscatine

Presented for City Council’s consideration is a resolution approving the combined/final plat for Haller’s Addition in the City of Muscatine. The city received a request from Marvin and Barbara Haller who own 2.233 acres of real estate located behind their residence at 205 Kindler Avenue. They are now interested in subdividing this real estate in order to sell it to adjacent property owners. The Haller’s have obtained the necessary agreements with the property owners. Since the property is being sold to adjacent property owners, no land-locked parcels are created. The Planning and Zoning Commission conducted an on-site viewing of the property and are now recommending the approval of the combined preliminary/final plat for the Haller’s Addition.

Is there a motion to adopt the resolution as submitted?

- C. Resolution Approving the Combined Preliminary/Final Plat for the Paradise Acres Addition in the City of Muscatine

Presented for City Council’s consideration is a resolution approving the combined preliminary/final plat for the Paradise Acres Addition in the City of Muscatine. The city received a request from Jon Brauns who owns 6.411 acres of real estate located at 2719 Highway 61 South. He is interested in creating a two-lot subdivision in the Light Industry Zoning District. If approved, Lot 1 would be used for his existing home and Lot 2 for the operation of his business. During the Planning and Zoning

Commission's recent on-site visit, the engineer for Mr. Brauns was advised to increase the lot area for Lot 2 to provide the minimum lot area required for a single family dwelling in the Light Industry Zoning District. In addition, the Commission directed the engineer to provide an access easement across Lot 2 for use by Lot 1 should the property be sold in the future. The Commission is recommending the approval of the combined preliminary/final plat for this addition.

Is there a motion to adopt the resolution as submitted?

12. FROM THE CITY ADMINISTRATOR

- A. Resolution Setting a Public Hearing on the Proposed Gas Franchise Ordinance Which Includes the Establishment of a Utility Franchise Fee and a Public Hearing on the Proposed Revenue Purpose Statement Related to the Utility Franchise Fee

Presented for City Council's consideration is a resolution setting a public hearing on the proposed gas franchise ordinance which includes the establishment of a utility franchise fee and a public hearing on the proposed Revenue Purpose Statement related to the utility franchise fee. The city is proposing to establish a 25-year utility franchise agreement with Interstate Power & Light Company for the natural gas distribution system within the city limits. This proposed new franchise ordinance includes the provision for a utility franchise fee. The establishment of this franchise fee must be done by ordinance. In addition, the city is also proposing a Revenue Purpose Statement related to the utility franchise fee. The revenues collected by the city are required to be deposited into a franchise account within the city's General Fund as required by the Code of Iowa which necessitates the adoption of a Revenue Purpose Statement specifying the purpose or purposes for which the franchise fee will be expended. Prior to taking action on first reading of the gas franchise ordinance and the establishment of a Revenue Purpose Statement, public hearings are required. Both public hearings will be held on Thursday, April 1, 2010, at 7 p.m.

Is there a motion to adopt the resolution as submitted?

- B. Resolution Authorizing the Assessment of Unpaid Abatement and Rental Inspection Costs to Private Properties

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid abatement and rental inspection costs to private properties. Periodically city staff provides to City Council a request for the assessment of nuisance abatement and rental inspection costs against private property owners. At this time staff is forwarding the assessment list for these unpaid costs totaling \$1,054.64.

Is there a motion to adopt the resolution as submitted?

C. Request to Approve the Agreement for Tom Bruner Field

Presented for City Council's consideration is a request to approve the agreement for Tom Bruner Field. The agreement between the city, Muscatine Community College and the Muscatine School District is effective January 1, 2010 through December 31, 2010 with automatic one-year renewals unless any party desires to terminate the agreement. The college and school district will each appoint an individual responsible for the day-to-day and long-term maintenance of the playing surface and surrounding facility at Tom Bruner Field with the city providing general oversight when necessary. The college and school district will each contribute \$1,500 for maintenance of the facility and the city will continue to provide (free of charge) all necessary utilities for the facility. All parties to the agreement will continue to carry all necessary and appropriate liability insurance for use of the facility. It is staff's recommendation this agreement be approved.

Is there a motion to approve the request as submitted?

D. Request Approval to Purchase High Speed Cooking Oven for Golf Course

Presented for City Council's consideration is a request to purchase a high speed cooking oven for the golf course. The purchase of this equipment will allow for expansion of the menu at the golf course. Quotes were solicited with the low bid from Multi Chef Motion Technology Inc. for a Multi Chef 3600 in the amount of \$6,000. It is staff's recommendation that City Council approve the purchase of this oven.

Is there a motion to approve the request as submitted?

E. Request Authorization to Submit Grant Application to the Muscatine Health Support Foundation for Carbon Monoxide Detector

Presented for City Council's consideration is a request for authorization to submit a grant application to the Muscatine Health Support Foundation (MHSF) for a Carbon Monoxide Detector. The Masimo Rad-57 is the only portable device in the field that can be used to check carbon monoxide levels through a finger probe which will assist paramedics in providing proper medical care to affected patients, civilians, and firefighters. The grant request is for \$5,000 and there is no match required by the city.

Is there a motion to approve the request as submitted?

F. Request to Approve Letter Commenting on the Proposed Reduction of the 2008 National Ambient Air Quality Standard

Presented for City Council's consideration is a request to approve a letter commenting on the proposed reduction of the 2008 National Ambient Air Quality Standard (NAAQS). The Environmental Protection Agency is undertaking a

reconsideration of the NAAQS for ozone. The lowering of the standard would result in almost tripling the number of counties being designated non-attainment and means most of the monitored areas in Iowa and Illinois would be classified as non-attainment. Only areas without monitors, likely non-urban areas, would be able to attract businesses and industries. This outflow of industry from urban areas would be counter to smart growth and sustainability implementation strategies. The purpose of this letter is to request the EPA's reconsideration of the ozone NAAQS be postponed and the 0.075 ppm standard reaffirmed. This issue is important to Muscatine and Scott counties in Iowa and Rock Island County in Illinois.

Is there a motion to approve the request as submitted?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – February 22, 2010 and March 1, 2010
- B. Art Center Board of Trustees – January 21, 2010
- C. Planning and Zoning Commission – January 11, 2010 and February 9, 2010

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,659,979.62 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