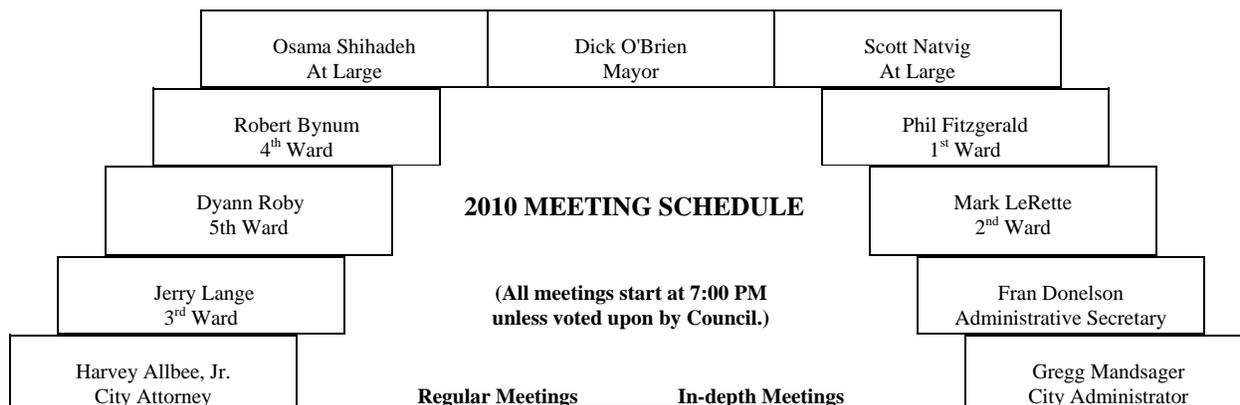


COUNCIL



2010 MEETING SCHEDULE

(All meetings start at 7:00 PM
unless voted upon by Council.)

	<u>Regular Meetings</u>	<u>In-depth Meetings</u>	
January 7 & 21	July 1 & 15	January 14	July 8
February 4 & 18	August 5 & 19	February 11	(None in August)
March 4 & 18	September 2 & 16	March 11	September 9
April 1 & 15	October 7 & 21	April 8	October 14
May 6 & 20	November 4 & 18	May 13	November 11
June 3 & 17	December 2 & 16	June 10	December 9

AGENDA

THURSDAY, APRIL 1, 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. Special City Council Meeting – March 15, 2010
- B. City Council Meeting – March 18, 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-C
- * 13 – A-H
- * Bills*

* Approval of attached Bills for Approval totaling \$1,185,613.45 is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

A. Proposed Establishment of a Gas Franchise Ordinance Which Includes the Establishment of a Utility Franchise Fee

This public hearing concerns the proposed establishment of a gas franchise ordinance which includes the establishment of a 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. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment on this matter.

B. Proposed Establishment of the Proposed Revenue Purpose Statement Related to the Utility Franchise Fee

This public hearing concerns the proposed establishment of 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 any formal action by City Council, a public hearing is required.

Now is the time for the public to comment on this matter.

9. PETITIONS AND COMMUNICATIONS

- A. Request for renewal of a Class A Liquor License and Sunday Sales Permit for American Legion Club, 110 Houser Street – Edward H. Bitzer Post #27 of the American Legion Club (pending receipt of dram shop insurance)
- B. Request for renewal of a Class A Liquor License and Sunday Sales Permit for Muscatine Moose Lodge #388, 207 Lake Park Blvd.
- C. Request for renewal of a Class B Beer and Sunday Sales Permit for Pizza Hut of Muscatine Inc., 2512 Park Avenue

10. FROM THE MAYOR

- A. Proclamation Declaring April 30, 2010 as “Arbor Day”
- B. Proclamation Declaring April 4, 2010 through May 15, 2010 as the “40 Days of Earth Day”

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 a Gas Franchise Ordinance Which Includes the Establishment of a Utility Franchise Fee

Presented for City Council’s consideration is the first reading of a gas franchise ordinance which includes the establishment of a 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.

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

- B. Resolution Naming Depositories for the City of Muscatine

Presented for City Council’s consideration is a resolution naming depositories for the City of Muscatine. State code requires that all funds of the city be deposited in one or more depositories approved by the governing body of the city. The city’s current resolution names First National Bank, Central State Bank and Community Bank as the city’s depositories with a maximum dollar amount of \$15,000,000 to be deposited in these institutions. It is being proposed this amount be changed to \$20,000,000 to allow for the upcoming general obligation bond issue and the receipt of 2009/2010 property taxes. The higher limit will allow for situations that could occur if one bank

would have a significant amount of the city's total investments.

Is there a motion to adopt the resolution as submitted?

C. Resolution Endorsing Muscatine Municipal Airport Projects for Fiscal Year 2011 and Certifying the Availability of Matching Funds

Presented for City Council's consideration is a resolution endorsing Muscatine Municipal Airport projects for fiscal year 2011 and certifying the availability of matching funds. The State of Iowa airport funding through the Iowa Department of Transportation requires cities to take action to officially endorse airport improvement projects and state they have local matching funds available to meet the 15% local share. This action does not commit the city (financially) to move forward at this time. As with other airport projects, the City Council must specifically approve each project grant agreement during the respective fiscal year it is programmed and following a state and/or federal determination that funding is available.

Is there a motion to adopt the resolution as submitted?

D. Resolution Setting a Public Hearing on the Plans, Specifications, Form of Contract, Cost Estimate, and Establishing a Bid Opening Date for the Purchase of Snow Removal Equipment for the Municipal Airport

Presented for City Council's consideration is a resolution setting a public hearing on the plans, specifications, form of contract, cost estimate, and establishing a bid opening date for the purchase of snow removal equipment for the municipal airport. The city was recently notified by the Federal Aviation Administration that funding might be available to acquire snow removal equipment for the airport. The funding would allow the city to purchase a snow removal tractor and equipment that meets specifications approved by the FAA. The new equipment would supplement the existing snow removal truck and plow purchased in 2009. Prior to soliciting bids for the purchase of this equipment, a public hearing is required. The public hearing has been set for Thursday, April 15, 2010, at 7 p.m.

Is there a motion to adopt the resolution as submitted?

E. Resolution Setting a Public Hearing to Consider a Sewer Revenue Loan Disbursement Agreement

Presented for City Council's consideration is a resolution setting a public hearing to consider a Sewer Revenue Loan Disbursement Agreement. On June 18, 2009, City Council completed the voluntary annexation of approximately 180 acres of real estate generally located north of Savannah Avenue, south of 180th Street, and west of the Ripley's Mobile Home Community. As part of the pre-annexation agreement, the developer agreed to extend sanitary sewer to the area at their expense and the city agreed to allow Ripley's to connect to the new sewer provided they paid a surcharge

for that service. The city assisted the developer in securing financing to construct the sewer and lift station. Funding was received from the Iowa Finance Authority under the Iowa Revolving Loan Fund Program for a planning and design loan for the project. These funds (\$108,000) will be used to complete the design and location of a sanitary sewer system to serve the annexed area. Once the design is completed and costs established, a separate loan application will be submitted to fund the construction. At that time the planning and design loan will be combined with the construction loan to complete the project. The developer will be responsible for the costs associated with the construction of the sewer and the lift station designed to serve the annexed area. The city will be responsible for the cost of any improvements to the lift station or pipe sizing needed to accommodate future use outside the annexed area. Prior to accepting the loan and moving forward with the project, a public hearing is required. The public hearing will be held on Thursday, April 15, 2010, at 7 p.m.

Is there a motion to adopt the resolution as submitted?

F. Request from Fire Department to Approve Purchase of Laptops, Mounting Hardware and Printers for Ambulances

Presented for City Council's consideration is a request from the Fire Department to approve the purchase of four mobile-data capable laptop computers, docking stations, mounting hardware and printers for city ambulances. The computer-aided dispatch (CAD) system in MUSCOM will link directly to these GIS-enabled, wireless computers mounted in the ambulances. These computers will allow EMS personnel to view and monitor pertinent information in real time, allow paramedics and dispatchers to communicate via screen and share all the necessary information for responding to emergency scenes quickly and safely, and will also allow secured access to files on the Fire Department network and allow printing capabilities in the field. Three bids were received with the low bid from Nielson Communications in the amount of \$23,524. There was \$23,600 budgeted for this equipment.

Is there a motion to approve the request as submitted?

G. Request Approval of Change Order #4 for the W. 3rd/Chestnut Street Parking Lot Project

Presented for City Council's consideration is a request to approve Change Order #4 for the W. 3rd/Chestnut Street Parking Lot Project. Original contract plans included the construction of an ornamental fence on ½ of the new wall along the alley; however, for safety reasons staff is recommending the fence be extended the entire length of the alley wall. This change includes 53' of fencing at a cost of \$3,650. It is also being proposed the city pay ½ of the winter protection cost of \$17,203 which would be \$8,601.50. In addition, a proposal to delete the stairway modification at the back side of Pro Hair will result in a deduction of \$500. The net change in the contract amount is an increase of \$11,881.50 for a total contract price of \$426,484.

Is there a motion to approve the request as submitted?

H. Request Approval of an Agreement with Klingner & Associates for the Muscatine Island Levee Certification

Presented for City Council's consideration is a request to approve an agreement with Klingner & Associates for the Muscatine Island Levee certification. As part of the national flood insurance program administered through FEMA, certification of the levee is required. The city entered into a PAL (Provisionally Accredited Levee) agreement with FEMA in August 2009 until August 2011 to allow for an actual study and certification of the levee by a qualified firm. If this does not happen, FEMA will administer the flood insurance program as if the levee does not exist. Two bids were received. After a review of the bid documents, it is staff's recommendation the city enter into an agreement with Klingner & Associates to perform and certify the Muscatine Island Levee. The total cost is \$39,500 with the city's share being approximately \$7,000 based on the prorated distance of the levee within the city limits.

Is there a motion to approve the request as submitted?

I. Request from Public Works for the Issuance of a Purchase Order for an Endloader

Presented for City Council's consideration is a request from Public Works for the issuance of a purchase order for an endloader. Four bids were received for the purchase of this piece of equipment with the low bid from Martin Equipment of Rock Island, Illinois, in the amount of \$145,850. After a review of the bids, it was determined this piece of equipment met the city's bid specifications; therefore, it is staff's recommendation the bid be accepted. There is \$165,000 budgeted for this purpose.

Is there a motion to approve the request as submitted?

J. Request Approval to Purchase an Utility Vehicle for the Police Department

Presented for City Council's consideration is a request to purchase an all wheel drive utility vehicle for the Police Department. Nine bid requests were sent to area ATV dealers with the only response from Krieger Kawasaki of Muscatine in the amount of \$9,990 for a 2010 Kawasaki "Mule". The purchase of this vehicle is funded through the Justice Assistance Grant from the Bureau of Justice Assistance.

Is there a motion to approve the request as submitted?

13. COMMUNICATIONS - RECEIVE AND FILE

A. Muscatine County Board of Supervisors – March 8, 2010 (Regular and Special)

- B. Historic Preservation Commission – February 17, 2010
- C. Senior Resources – February 23, 2010
- D. NFPA Fire Survey – February 2010
- E. MP&W Communications Utility – February 2010
- F. MP&W Electric Utility – February 2010
- G. MP&W Water Utility – February 2010
- H. City of Muscatine Financial Reports – February 2010

14. APPROVAL OF BILLS

It is recommended bills totaling \$1,185,613.45 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 approval to go into Closed Session to discuss union negotiations

17. ADJOURNMENT