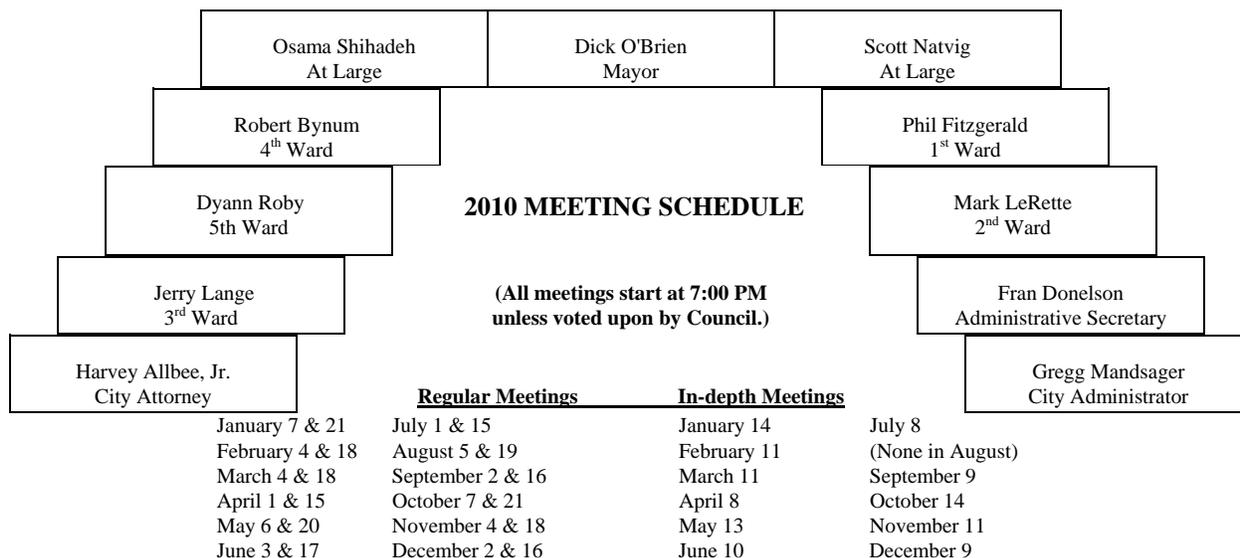


COUNCIL



AGENDA

**THURSDAY, APRIL 15, 2010
COUNCIL CHAMBERS - CITY HALL**

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

A. Swearing in of Police Officers Daniel C. Grafton and Ronald E. Steverson

At this time Police Officers Daniel C. Grafton and Ronald E. Steverson will be sworn in by City Attorney Harvey Allbee Jr.

6. **MINUTES - APPROVAL**
 - A. City Council Meeting – April 1, 2010
 - B. In-Depth Meeting – April 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-C
- * Bills*

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

8. PUBLIC HEARING

- A. Proposed Plans, Specifications, Form of Contract, Cost Estimate and Setting Bid Opening Date for Municipal Airport Improvements Identified as Potential AIP Project No. 3-19-0063-16

This public hearing concerns the proposed plans, specifications, form of contract, cost estimate and setting the bid opening date for municipal airport improvements identified as Potential AIP Project No. 3-19-0063-16. 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 any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

- B. Proposed Sewer Revenue Loan and Disbursement Agreement

This public hearing concerns a proposed sewer revenue loan and disbursement agreement. On June 18, 2009 approximately 180 acres of real estate was voluntarily annexed into the city. 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 Mobile Home Community to connect to the new sewer provided they paid a surcharge for that service. 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. 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.

Now is the time for the public to comment.

C. Proposed Municipal Housing Agency Five-Year Plan (2010-2014)

This public hearing concerns the proposed Municipal Housing Agency Five-Year Plan (2010-2014). The Muscatine Municipal Housing Agency has developed its 2010-2014 five-year plan in accordance with HUD regulations. This plan will advise HUD, participants, and members of the public of the city's mission for serving the needs of low income and very low income families and the strategy for addressing those needs. Prior to the approval of the five-year plan, 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 C Beer and Sunday Sales Permit for Highway 61 Fuels, 3103 Highway 61 North – Highway 61 Fuels LLC (pending inspections)

B. Request for renewal of a Class B Beer and Sunday Sales Permit for Pizza Ranch Muscatine, 106 Ford Avenue – Psychodog Enterprises Inc.

C. Request for Use of City Property for Farmers Market

Presented for City Council's consideration is a request for the use of city property for the weekly farmers market. The Downtown Action Alliance is requesting the use of the parking lot on Mississippi Drive between Cedar and Sycamore streets for the farmers market on Saturday mornings from May through October. The hours of operation will be from 6 a.m. until noon.

Is there a motion to approve the request as submitted?

D. Request for Use of City Property for Tent Revival

Presented for City Council's consideration is a request to hold a tent revival on June 18-28, 2010, at the intersection of Grandview and Hershey avenues (former Carver Pump property). The event will begin at 7 p.m., and the organizers will make arrangements with Muscatine Power & Water for electricity usage. After consulting with the city's Street Project Construction Manager, it appears this site will be available. However, this request is to be approved subject to staff's ability to move the event to a suitable location should issues arise with street improvements.

Is there a motion to approve the request as submitted?

10. FROM THE MAYOR

A. Proclamation Declaring April 2010 as "Child Abuse and Mandatory Reporter Appreciation Month"

Is there a motion to adopt the proclamation as submitted?

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

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

Presented for City Council's consideration is the final 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 adopt the ordinance on final reading and to direct for its publication as required by law?

B. Resolution Approving the Revenue Purpose Statement Relating to the Utility Franchise Fee

Presented for City Council's consideration is a resolution approving the Revenue Purpose Statement relating to the utility franchise fee. The revenues generated by the utility franchise fee 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.

Is there a motion to adopt the resolution as submitted?

- C. Resolution Approving the Plans, Specifications, Form of Contract, Cost Estimate and Establishing a Bid Opening Date for the Municipal Airport Improvements Identified as Potential AIP Project No. 3-19-0063-16

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract, cost estimate and establishing a bid opening date for the municipal airport improvements identified as Potential AIP Project No. 3-19-0063-16. 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. The bid opening date has been set for Friday, April 30, 2010, at 10 a.m.

Is there a motion to adopt the resolution as submitted?

- D. Resolution Approving a Sewer Revenue Loan and Disbursement Agreement

Presented for City Council's consideration is a resolution approving a sewer revenue loan and disbursement agreement. On June 18, 2009 approximately 180 acres of real estate was voluntarily annexed into the city. 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 Mobile Home Community to connect to the new sewer provided they paid a surcharge for that service. 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. 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.

Is there a motion to adopt the resolution as submitted?

- E. Resolution Authorizing the 2010-2014 Public Housing Agency Five-Year Plan and Attachments as Modified and Authorizing the Submittal of the Plan to the Department of Housing and Urban Development

Presented for City Council's consideration is a resolution authorizing the 2010-2014 Public Housing Agency Five-Year Plan and Attachments as Modified and Authorizing the Submittal of the Plan to the Department of Housing and Urban Development. The Muscatine Municipal Housing Agency has developed its 2010-2014 five-year plan in accordance with HUD regulations. This plan will advise HUD, participants, and members of the public of the city's mission for serving the needs of low income and very low income families and the strategy for addressing those needs.

Is there a motion to adopt the resolution as submitted?

- F. Resolution Accepting the Family Self Sufficiency Grant from the Department of Housing and Urban Development and Authorizing Execution of the Agreement

Presented for City Council's consideration is a resolution accepting the Family Self Sufficiency Grant from the Department of Housing and Urban Development and authorizing the execution of the agreement. Earlier this month the city received notification from HUD that its request for funding of a Housing Specialist/Family Self Sufficiency Coordinator for calendar year 2010 was approved in the amount of \$54,762. The objective of the FSS Program is to reduce the dependency of Section 8 tenant participants on welfare and other public assistance programs.

Is there a motion to adopt the resolution as submitted?

- G. Resolution Establishing Fees Related to Rental Housing Inspection, Re-Inspection, Administrative Services, and Various Planning and Zoning Review and Processing Fees for the City of Muscatine

Presented for City Council's consideration is a resolution establishing fees related to rental housing inspection, re-inspection, administrative services, and various Planning and Zoning review and processing fees for the city. The City Code provides for a variety of fees for services and City Council regularly reviews these fees as part of the annual budget preparation and approval process. Changes to these fees are done by resolution.

Is there a motion to adopt the resolution as submitted?

H. Resolution Authorizing Contract, Rates and Fees for Permit-Required Confined Space Rescue by the Fire Department

Presented for City Council's consideration is a resolution authorizing contract, rates and fees for the permit-required confined space rescue by the Fire Department. The Fire Department is trained and equipped to respond to confined space emergencies for rescue or recovery operations. Communities are allowed to charge for these specialty services, and adoption of the resolution as submitted will allow the city to charge for these services if a company decides to enter into an agreement with the city. Companies that choose not to enter into an agreement will be billed at a rate of \$3,000 per hour.

Is there a motion to adopt the resolution as submitted?

I. Request Approval of New Ambulance Fee Schedule

Presented for City Council's consideration is a request to approve the new ambulance fee schedule. The city recently received a letter from Wellmark advising they will be changing their maximum allowable fee effective July 1, 2010 which affects the city's billing and payments associated with specific types of emergency calls. Ambulance charges are reviewed and changed in accordance with the latest Medicare Fee Schedule. The fee changes apply to ALS-1 Emergency, ALS 2, and specialty care transports.

Is there a motion to approve the request as submitted?

J. Request to Approve Fees for the Columbarium Niches at Greenwood Cemetery

Presented for City Council's consideration is a request to approve fees for the Columbarium Niches at Greenwood Cemetery. At the April 8, 2010 In-Depth meeting, a presentation was given concerning the niches at Greenwood Cemetery and the city's proposal to lower the fees for the single and double niches. This fee adjustment would position the city towards the lower end of niche fees but it would not be the lowest overall.

Is there a motion to approve the request as submitted?

K. Request to Approve Change Order #3 for the Water Pollution Control Plant Improvements

Presented for City Council's consideration is a request to approve Change Order #3 for the Water Pollution Control Plant Improvements. This change order includes 20 modifications to the original contract for a total of \$40,744. The main cost of \$37,471 is for the update of the SCADA system. The other major cost is \$11,995 for two

additional Dissolved Oxygen Probes in the aeration tanks. These probes will allow for optimum treatment and will save money by not using excess air to meet requirements.

Is there a motion to approve the request as submitted?

L. Request to Approve Change Orders #1 and #2 for the Clay Street Pavement Replacement Project

Presented for City Council's consideration is a request to approve Change Orders #1 and #2 for the Clay Street Pavement Replacement Project. Change Order #1 resulted from as-built quantity adjustments including bridge approach paving, concrete street paving, concrete sidewalks and concrete driveways and increases the contract amount by \$6,700.96. Change Order #2 results from two changes directed by the engineer. First was the usage of lighted arrow boards and additional lane delineators to provide safe traffic flow during the construction period and the second was for the replacement of 32' of deteriorated corrugated metal pipe storm sewer with concrete pipe which increased the contract price by \$6,527. This brings the original contract price of \$912,267.20 to \$925,495.16.

Is there a motion to approve the request as submitted?

M. Request Approval to Declare Vehicles and Equipment as Surplus Property

Presented for City Council's consideration is a request to approve the declaration of vehicles and equipment as surplus property. Staff is requesting that the vehicles and equipment as submitted to City Council be declared as surplus so they can be placed on Public Surplus online auction service. The city's experience with Public Surplus has been very favorable.

Is there a motion to approve the request as submitted?

N. Request Authorization to Enter Into a Professional Services Agreement for the Hershey Avenue Reconstruction Project

Presented for City Council's consideration is a request to enter into a professional services agreement for the Hershey Avenue Reconstruction Project. The agreement with Stanley Consultants Inc. is for the design, bidding and construction services related to the Hershey Avenue Reconstruction Project. The contract amount is \$98,500 with an additional \$29,500 for surveying.

Is there a motion to approve the request as submitted?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – March 22 & 29, 2010
- B. Art Center Board of Trustees – February 18, 2010
- C. Board of Water, Electric, and Communications Trustees – February 23, 2010

14. APPROVAL OF BILLS

It is recommended bills totaling \$_____ 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