

COUNCIL



AGENDA

**THURSDAY, MAY 20, 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 – May 6, 2010
- B. In-Depth City Council Meeting – May 13, 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-E
- * 13 – A-D
- * Bills*

* Approval of attached Bills for Approval totaling \$2,390,742.56 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 the Hangar Access Road at the Airport

This public hearing concerns the proposed plans, specifications, form of contract, cost estimate and setting the bid opening date for the hangar access road at the airport. On July 14, 2009, the city was awarded funding by the Iowa Department of Transportation’s Division of Aviation for the construction of a hangar access road at the airport. The construction of this access road will allow access to HNI Hangar #2, provide road access for future hangar development, and serve the area intended for the construction of an armory facility on the southeast corner of the airport property. The project estimate of \$105,000 will be cost shared at 85% state funding and 15% local funding. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

B. Proposed Plans, Specifications, Form of Contract, Cost Estimate and Setting Bid Opening Date for the Clay Street Bridge Rehabilitation Project

This public hearing concerns the proposed plans, specifications, form of contract, cost estimate and setting the bid opening date for the Clay Street Bridge Rehabilitation Project. During the Clay Street Reconstruction Project that took place in 2009, it was found the concrete deck was severely deteriorated. Clay Street is a truck route and carries other heavy traffic including city maintenance vehicles; therefore, immediate repair is warranted to serve businesses who utilize the street. Prior to moving forward on this project, a public hearing is required.

Now is the time for the public to comment.

C. Proposed Plans, Specifications, Form of Contract, Cost Estimate and Setting Bid Opening Date for the 2010 Curb and Gutter and Street Maintenance Program

This public hearing concerns the proposed plans, specifications, form of contract, cost estimate and setting the bid opening date for the 2010 Curb and Gutter and Street Maintenance Program. This year's project will focus on full-depth patching of Lowe Street from Bridgeman to Longhurst Street and Longhurst Lane from Lowe Street to the cul-de-sac. There will be some curb repair on these streets as well as on Newell Avenue. This work must be done prior to the asphalt overlay work. Prior to moving forward on this project, a public hearing is required.

Now is the time for the public to comment.

D. Proposed Amendment #2 to the 2009/2010 City Budget

This public hearing concerns the proposed Amendment #2 to the 2009/2010 city budget. Each year the city takes two separate actions to amend the current fiscal year budget. The first amendment to the 2009/2010 budget took place on March 11, 2010 and amended the budget to the revised estimate level established during the budget review sessions. The second opportunity comes in May and/or June prior to the end of the fiscal year. Information has been solicited from the various departments that propose to make adjustments in either expenditures or revenues within their departments. 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. Second reading on a new Class C Liquor License with Sunday Sales for Tropicana NC, 1919 Grandview Avenue – Roberto Avala (pending inspections)

B. First reading on a new Class C Liquor License and Sunday Sales Permit for MVP Lounge, 214 Iowa Avenue – Daniel McFate (pending receipt of dram shop insurance and inspections)

C. Request for renewal of a Class BW Beer/Wine Permit with Sunday Sales and Outdoor Service for Elly's Tea & Coffee House LLC, 308 W. 2nd Street #8

D. Request for renewal of a Class B Liquor License and Sunday Sales Permit for Holiday Inn of Muscatine, 2915 North Highway 61 – Jelms Hotel Company LLC

E. Request for renewal of a Class C Liquor License and Sunday Sales Permit for La Guadalajara Restaurant LLC, 203 E. 2nd Street

F. Request Approval to Close Weed Park/Streets for HNI Corporation Company Picnic

Presented for City Council's consideration is a request for approval to close Weed Park and portions of city streets for the 2010 HNI Corporation Company Picnic. The city has received a request to close Weed Park and portions of streets surrounding the park for the annual HNI company picnic for Sunday, August 15, 2010, between the hours of 9 a.m. and 4 p.m. In addition to the closure of Weed Park, the Aquatic Center will also be closed that day. Setup will begin Saturday afternoon, August 14, 2010, but the park will not be closed and the Aquatic Center will still be open to the general public.

Is there a motion to approve the request as submitted?

G. Request to Approve Fireworks Display at the Geneva Golf & Country Club

Presented for City Council's consideration is a request from the Geneva Golf & Country Club to dispense fireworks. The date of the request is Saturday, August 14, 2010 and will coincide with Family Day held at the country club. J&M Displays has been hired to conduct the fireworks. They have worked at the club for a number of years and have been used under other venues in the community. City Council has approved past requests with the stipulation public notice be provided two to five days prior to the event by radio and newspaper.

Is there a motion to approve the request as submitted?

H. Request from Zion Lutheran Church for Use of City Property for Block Party

The city has received a request from Zion Lutheran Church to conduct a neighborhood block party on Wednesday, June 9, 2009, from 5 to 7 p.m. The church is requesting the use of Sycamore Street from the alley to 6th Street. Setup would begin at 3 p.m. and the event would be completed by 8 p.m. with the reopening of the street.

Is there a motion to approve this request as submitted?

10. FROM THE MAYOR

A. Proclamation Declaring May 2010 as "Tennis Month"

Is there a motion to adopt the proclamation as submitted?

11. FROM THE PLANNING AND ZONING COMMISSION

A. Resolution Setting a Public Hearing Upon the Partial Vacation of a Utility Easement in Cobblestone Ridge Replatting of Phase II

Presented for City Council's consideration is a resolution setting a public hearing

upon the partial vacation of a utility easement in Cobblestone Ridge Replatting of Phase II. In 2008, a portion of this property was replatted to create Cobblestone Ridge Phase II and was intended for the development of side-by-side townhouse style residences. The owners have found an existing utility easement is partially located in an area intended for residential construction. As a result, they are requesting that a portion of the existing utility easement be vacated, a new easement created, and the changes recorded for future reference. If approved, the vacation would involve a parcel consisting of 398 square feet, and a new easement created that will consist of 440 square feet. Prior to any formal action by City Council, a public hearing is required. This public hearing will be held on Thursday, June 3, 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 3 Public Way and Property, Chapter 9 Street Obstruction

Presented for City Council's consideration is the second reading of an ordinance amending Title 3 Public Way and Property, Chapter 9 Street Obstruction. At the April 8, 2010 In-Depth meeting this matter was reviewed with City Council. The proposed ordinance amendment will address snow removal and its placement on city streets and public right-of-ways. The Police Department will enforce the ordinance assisted by Public Works staff who will identify the offenders.

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

B. Second Reading of an Ordinance Amending Title 7 Police Regulations, Chapter 18 Snow Emergency Regulations

Presented for City Council's consideration is the first second of an ordinance amending Title 7 Police Regulations, Chapter 18 Snow Emergency Regulations. The proposed ordinance amendment will designate staff members who will work with the Police Department in enforcement of the ordinance.

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

C. Resolution Approving Plans, Specifications, Form of Contract, Cost Estimate and Setting Bid Opening Date for the Hangar Access Road at the Airport

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for the hangar access road at the airport. On July 14, 2009, the city was awarded funding by the Iowa Department of Transportation's Division of Aviation for the construction of a hangar access road at the airport. The construction of this access road will allow access to HNI Hangar #2, provide road access for future hangar development, and

serve the area intended for the construction of an armory facility on the southeast corner of the airport property. The project estimate of \$105,000 will be cost shared at 85% state funding and 15% local funding.

Is there a motion to adopt the resolution as submitted?

D. Resolution Approving Plans, Specifications, Form of Contract, Cost Estimate and Setting Bid Opening Date for Clay Street Bridge Improvement Project

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for the Clay Street Bridge Improvement Project. During the Clay Street Reconstruction Project that took place in 2009, it was found the concrete deck was severely deteriorated. Clay Street is a truck route and carries other heavy traffic including city maintenance vehicles; therefore, immediate repair is warranted to serve businesses who utilize the street. The bid opening date for this project has been set for June 10, 2010.

Is there a motion to adopt the resolution as submitted?

E. Resolution Approving Plans, Specifications, Form of Contract, Cost Estimate and Setting Bid Opening Date for 2010 Curb and Gutter and Street Maintenance Program

Presented for City Council's consideration is a resolution approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for the 2010 Curb and Gutter and Street Maintenance Program. This year's project will focus on full-depth patching of Lowe Street from Bridgeman to Longhurst Street and Longhurst Lane from Lowe Street to the cul-de-sac. There will be some curb repair on these streets as well as on Newell Avenue. This work must be done prior to the asphalt overlay work. The bid opening date for this project has been set for June 21, 2010.

Is there a motion to adopt the resolution as submitted?

F. Resolution Approving Amendment #2 to the 2009/2010 City Budget

Each year the city takes two separate actions to amend the current fiscal year budget. The first amendment to the 2009/2010 budget took place on March 11, 2010 and amended the budget to the revised estimate level established during the budget review sessions. The second opportunity comes in May and/or June prior to the end of the fiscal year. Information has been solicited from the various departments that propose to make adjustments in either expenditures or revenues within their departments.

Is there a motion to adopt the resolution as submitted?

G. Resolution Approving the 2010/2011 Non-Union Pay Plan

Presented for City Council's consideration is a resolution approving the 2010/2011 Non-Union Pay Plan. Each year, prior to the beginning of the new fiscal year, Council takes action to establish a new pay plan for those individuals not covered under union contracts. This year's plan reflects a 2.5% increase to the existing pay ranges and steps included in the city's budget. The plan also includes positions already approved by City Council. These include Police Captain, Environmental Coordinator/Assistant WPCP Director, and Lift Station/Plant Maintenance Supervisor. In addition, positions approved during the budget process are included in the pay scale. These include Community Development Director, Community Services Officer, and City Planner. The City Planner position is effective January 1, 2011. Deleted from the pay plan are the Civil Engineer and Director of Planning, Zoning and Building Safety positions.

Is there a motion to adopt the resolution as submitted?

H. Resolution Accepting Completed Work for the Muscatine Bridge Tribute Plaza and Bike Trail Kiosk Project

Presented for City Council's consideration is a resolution accepting completed work for the Muscatine Bridge Tribute Plaza and Bike Trail Kiosk Project. Previously the city applied and secured IDOT funding on behalf of Leadership Muscatine for this project. The city entered into a contract with Muscatine Bridge Company Inc. in the amount of \$95,374. There was one change order resulting in a deduction of \$10,700 bringing the total project cost to \$84,674. The project has been completed and approved by the city's consulting engineer, has met the requirements of the plans and specifications adopted by City Council, and has been approved by the Iowa Department of Transportation. It is staff's recommendation the resolution be adopted and final payment made to Muscatine Bridge Company Inc.

Is there a motion to adopt the resolution as submitted?

I. Resolution Approving Agreement for the Mississippi Drive Corridor Environmental Study and Preliminary Design

Presented for City Council's consideration is a resolution approving the agreement for the Mississippi Drive Corridor Environmental Study and preliminary design. In 2007 the city adopted the Mississippi Drive Corridor Plan which addressed the area from the Norbert F. Beckey Bridge and continuing west along U.S. Business 61 and Iowa 92 to the "Carver Corner". Two funding sources have been identified that will allow this project to move forward. They include \$444,600 through the Transportation & Community System Preservation Fund (TCSP) and \$600,000 from the Statewide Transportation Improvement Program (STIP) administered via the Bi-State Regional Commission's current Transportation Improvement Plan (TIP). Both

of these funding sources will require a 20% local match that will be funded through a future bond issue. Following a consultant selection process outlined by the Iowa Department of Transportation (IDOT), the city has selected Stanley Consultants to provide the preliminary design services. It is staff's recommendation the resolution be adopted approving the preliminary design agreement with Stanley Consultants.

Is there a motion to adopt the resolution as submitted?

J. Request from Fire Department to Approve Purchase of LUCAS Chest Compression System

Presented for City Council's consideration is a request from the Fire Department to approve the purchase of a LUCAS Chest Compression System. Earlier this month the Fire Department received notification from the Muscatine Health Support Foundation that their grant application had been approved for the purchase of this piece of equipment which is designed to deliver uninterrupted compressions at a consistent rate and depth to facilitate the return of spontaneous circulation (ROSC). It is being requested a purchase order be issued to Physio Control, the sole proprietor of this equipment, in the amount of \$13,624. There are no matching funds required for this grant.

Is there a motion to approve the request as submitted?

K. Request from the Fire Department to Authorize Submission of a Grant Request for a New Fire Engine

Presented for City Council's consideration is a request from the Fire Department for authorization to submit a grant application for a new fire engine. The grant would be through the Department of Homeland Security (DHS) and has a filing deadline of May 28, 2010. The Assistance to Firefighters Grant (AFG) offered through DHS provides funding for training and equipment, including fire engine purchases. The grant amount would be in the amount of \$468,000 and would require a 10% match by the city. The purpose of this grant request is to replace the 1988 Smeal fire engine.

Is there a motion to approve the request as submitted?

L. Request to Approve Proposed Credit Card Policy

Presented for City Council's consideration is a request to approve the proposed credit card policy. This matter was reviewed with City Council at last week's In-Depth meeting. By using credit cards, the city hopes to reduce procurement and payment processing costs, make purchases from local businesses that do not allow for accounts to be set up in the city's name and require immediate payment, improve vendor relations, and take advantage of cost-saving opportunities by purchasing on the Internet and through catalogs. This proposed policy must officially be adopted by City Council.

Is there a motion to approve the request as submitted?

M. Request to Approve Maintenance Contract for Clark House Elevators

Presented for City Council's consideration is a request to approve a maintenance contract for the Clark House elevators. The Clark House has two traction elevators serving the 11-story building. The current contract expired May 1, 2010. Bids were solicited with one bid received from Kone Inc. of Moline, Illinois, in the amount of \$7,140. This contract will be renewable each year for five years with annual price adjustments to reflect actual labor costs. It is staff's recommendation the maintenance contract with Kone Inc. be approved.

Is there a motion to approve the request as submitted?

N. Request to Approve Contract for Addition to Sunset Park Office Building

Presented for City Council's consideration is a request to approve a contract for an addition to the Sunset Park office building. This 50-unit facility is in need of a Resident Center to provide after-school tutoring for young people and to hold meetings. Neumann Monson Architects of Iowa City submitted a proposal for architectural services for this project with a fixed rate not to exceed \$10,000. Compensation for unforeseen circumstances will be based on an agreed upon hourly rate. The 2010/2011 budget includes funds to construct a 1,200 square foot addition to the office building.

Is there a motion to approve the request as submitted?

O. Request from Police Department to Approve Memorandum of Understanding for Justice Assistance Grant (JAG) Funding

Presented for City Council's consideration is a request from the Police Department to approve a Memorandum of Understanding for Justice Assistance Grant (JAG) funding. In order to receive funding from the JAG direct award, it is necessary for the city to enter into a Memorandum of Understanding with the county that funds will be

divided equally between both parties. Once the County Board of Supervisors approves and signs the document, it will be forwarded to the Bureau of Justice Assistance (BJA) as part of the application. The BJA has allocated \$26,083 to the Muscatine Police Department and Muscatine County Sheriff's Office. The State of Iowa requires that 20% of this award be allocated to the Muscatine County Drug Task Force. It is staff's recommendation this MOU be accepted and signed.

Is there a motion to approve the request as submitted?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – March 15, 2010, April 26, 2010 & May 3, 2010
- B. Planning & Zoning Commission – March 9, 2010
- C. Historic Preservation Commission – April 21, 2010
- D. NFPA Survey – March 2010

14. APPROVAL OF BILLS

It is recommended bills totaling \$2,390,742.56 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