

COUNCIL



AGENDA

THURSDAY, MAY 18, 2017
COUNCIL CHAMBERS - CITY HALL – 7:00 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COMMUNICATIONS – CITIZENS**
5. **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 so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

*** Items A-B - Approval of City Council Minutes**

- A. Regular City Council Minutes – May 4, 2017
- B. In-Depth City Council Minutes – May 11, 2017

*** Items 8A-K – Petitions and Communications**

- A. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Circle K, 802 Cypress Street – Mac’s Convenience Stores LLC (pending inspections)
- B. Request for renewal of Sunday Sales for Contrary Brewing Co., 411 West Mississippi Drive – Contrary Brewing LLC (pending inspections)
- C. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Hy-Vee Wine & Spirits, 522 Mulberry Avenue, Suite A – Hy-Vee Inc. (pending inspections)
- D. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Kum & Go #438, 1429 Park Avenue – Kum & Go LC (pending inspections)
- E. Request for renewal of a Class “C” Liquor License, Outdoor Sales and Sunday Sales for The Pearl, 101 West Mississippi Drive – The Pearl, LLC (pending inspections and insurance)
- F. Request for renewal of a Class “B” Wine Permit, Special Class “C” Liquor License, Outdoor Service and Sunday Sales for Wine Nutz, 208 West 2nd Street, Suite 217 – Wine Nutz LLC (pending inspections and insurance)
- G. Request for a Temporary Special Class “C” Liquor License for Hy-Vee Clubroom, 2400 – 2nd Avenue – Hy-Vee Inc. (pending inspections and insurance)
- H. Request for renewal of a Class “C” Liquor License for Jody’s Corner Tap, 226 Walnut Street – Jody’s Corner Tap Inc. (pending inspections and insurance)
- I. Request on Second Reading of a Class “C” Liquor License and Brew Pub for The Cellar, 2402 Park Avenue – Lloyd-Watson Enterprises (pending inspections)

J. Request from Mike’s Hilltop Tap for Use of City Property for Bike Night on Wednesdays from 4:30 p.m. to 8 p.m. for May-September 2017

K. Request to Approve Application for Revitalization Property Tax Abatement for Michael and Margaret Wigans

* **Items 9A-B – From the Mayor**

A. Proclamation Declaring May 21-27, 2017 as “National Public Works Week”

B. Proclamation Declaring May 26-27, 2017 as “Buddy Poppy Days”

* **Items 12A-B – Receive and File**

A. Muscatine County Board of Supervisors Minutes – April 24, 2017 and May 1, 2017

B. MP&W Financial Statements – March 2017

* **Bills***

* Approval of attached Bills for Approval totaling \$2,400,211.15 is subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

A. Proposed Landfill Cell #5 Expansion Project

This public hearing concerns the proposed Landfill Cell #5 Expansion Project. In order to provide future space for solid waste generated within Muscatine County, the city must begin planning for construction of the next cell. Barker Lemar Engineering Consultants is the city’s consultant on the landfill and will be retained to design and help oversee construction of the next cell and required leachate storage lagoon. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

B. Proposed Amendment #2 to the Fiscal Year 2016/2017 City Budget

This public hearing concerns the proposed Amendment #2 to the Fiscal Year 2016/2017 City Budget. This proposed amendment will increase total budgeted expenditures for the city by \$602,500, and transfers out will increase by \$92,500. Of the total expenditure amendment, \$148,400 (24.6%) is to repair damages caused by

the March 6, 2017 tornado. Budgeted revenues are proposed to be amended by \$177,900 and transfers in by \$92,500. The revenue amendment includes a total of \$133,400 in insurance reimbursements for tornado damages (costs less deductibles). Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

8. PETITIONS AND COMMUNICATIONS

9. FROM THE MAYOR

10. FROM THE PLANNING AND ZONING COMMISSION

11. FROM THE CITY ADMINISTRATOR

- A. Resolution Approving the Plans, Specifications, Form of Contract, Cost Estimate, and Setting the Bid Opening Date for the Proposed Landfill Cell #5 Expansion Project

Is there a motion to adopt the resolution as submitted?

- B. Resolution Approving Amendment #2 to the Fiscal Year 2016/2017 City Budget

Is there a motion to adopt the resolution as submitted?

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

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid abatement costs and unpaid rental inspection fees to private properties. Periodically the city takes action to assess unpaid nuisance abatement costs and unpaid rental inspection fees to private properties. The nuisance abatement costs for snow, junk, and tree removal total \$2,703.40 and rental inspection fees total \$720.00. The administrative fees are \$300 and the assessment fees are \$550. The total fee being requested for assessment at this time totals \$4,273.40.

Is there a motion to adopt the resolution as submitted?

- D. Resolutions and Related Documents Approving Changes of Authorized Signatures for City Bank Accounts

Presented for City Council's consideration are resolutions and related documents approving changes to authorized signatures for city bank accounts. The city has accounts with First National Bank, CBI Bank and Trust, and Community Bank. Authorized signers for the city's checking accounts are the Mayor and City Administrator. With Diana L. Broderson no longer serving as Mayor as of May 12, 2017, her name needs to be removed from the various city accounts and the

authorized signer changed on an interim basis to Robert C. Bynum Jr. as Mayor Pro Tem.

Is there a motion to adopt the resolutions as submitted?

E. Resolution Writing Off Debts of Former Public Housing Tenants

Presented for City Council's consideration is a resolution writing off debts of former Public Housing tenants. Every effort is made to collect rental payments and other monies owed to the Muscatine Municipal Housing Agency. However, there are times when people leave owing a debt. As a matter of good accounting, the City of Muscatine is directed to write off debts that are doubtful for collection. The total amount proposed to be written off is \$5,127.14. Records of these amounts will be maintained and will have to be paid back by these individuals before any future housing assistance would be made available to them.

Is there a motion to adopt the resolution as submitted?

F. Resolution Approving the Final Plat for the Norma Jean Acres Addition

Presented for City Council's consideration is a resolution approving the final plat for the Norma Jean Acres Addition. A request has been filed for a combined preliminary/final plat for a one-lot subdivision in the unincorporated Muscatine County on 170th Street which falls within the two-mile limit requiring City of Muscatine review and approval. The proposed subdivision would create a 4.603-acre lot for the purpose of splitting the farm house from the farm land.

Is there a motion to adopt the resolution as submitted?

G. Resolution Setting Public Hearing on Proposal to Approve an Amended Development Agreement with Riverview Hotel Development, Including Annual Appropriation Tax Increment Payments

Presented for City Council's consideration is a resolution setting a public hearing on a proposal to approve an amended Development Agreement with Riverview Hotel Development, including annual appropriation tax increment payments. The original agreement with Riverview Hotel Development is dated December 8, 2014. The city and developer now propose to amend the original agreement in order to (1) update the completion date of the project; (2) update the Employment Requirements with respect to the project; (3) increase the amount of tax increment financing assistance to be provided to the company from \$6,000,000 to \$6,150,000; and (4) make other related changes. Prior to any formal action by City Council, a public hearing is required. This hearing will take place on Thursday, June 1, 2017, at 7:00 p.m.

Is there a motion to adopt the resolution as submitted?

H. Resolution Approving Riverview Reinvestment District Development Agreement

Presented for City Council's consideration is a resolution approving the Riverview Reinvestment District Development Agreement. City Council took action to establish the Reinvestment District on May 21, 2015 and on July 2, 2015 approved the Reinvestment District Contract between the Iowa Economic Development Authority and the city. Adoption of this resolution approving the Muscatine Riverview Reinvestment District Development Agreement formalizes the agreement between the Riverview Hotel Development and the city for the Reinvestment District funding.

Is there a motion to adopt the resolution as submitted?

I. Resolution Setting Public Hearing for the Cleveland Avenue Reconstruction Project

Presented for City Council's consideration is a resolution setting a public hearing for the Cleveland Avenue Reconstruction Project. This project is progressed to the point where the letting schedule has been set. The cost of this project is estimated to be between \$360,000 and \$410,000. The budget is available to reconstruct this street with money authorized from Road Use Tax funds. Prior to any formal action by City Council, a public hearing is required. This hearing will take place on Thursday, June 1, 2017, at 7:00 p.m.

Is there a motion to adopt the resolution as submitted?

J. Request from Public Works for the Issuance of a Purchase Order for a Cold Planer

Presented for City Council's consideration is a request from Public Works for the issuance of a purchase order for a cold planer. Two bids were received for this piece of equipment with the low bid from Altorfer Cat of Davenport in the amount of \$113,875.09. Staff is requesting City Council authorize the issuance of a purchase order for this equipment. There is \$136,000 budgeted for this purchase.

Is there a motion to approve the request as submitted?

K. Request Authorization for the Issuance of a Purchase Order for Three Transit Buses

Presented for City Council's consideration is a request to authorize the issuance of a purchase order for three Transit buses. Transit (MuscaBus) has received notification of the availability of funding for the purchase of three light duty transit buses. The buses have been ordered from Thomas Bus Sales utilizing the Iowa Department of Transportation Contract. The total cost of the three buses is \$264,367 with the city's share being \$39,655.05.

Is there a motion to approve the request as submitted?

L. Request to Approve Proposed Revision to the Development Plan for 610 Maiden

Lane (former Washington Elementary School)

Presented for City Council's consideration is a request to approve a proposed revision to the Development Plan for 610 Maiden Lane (former Washington Elementary School). The property owner has submitted an application to amend the development plan for Building Unit B. The use for Building Unit A is unchanged. Under provisions of the S-1 District, this amendment to the approved Development Plan must be approved by City Council upon recommendation by the Planning & Zoning Commission.

Is there a motion to approve the request as submitted?

M. Discussion on the Sale and Use of Fireworks within the City Limits

At this time, there will be discussion concerning the sale and use of fireworks within the city limits.

12. **COMMUNICATIONS - RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$2,400,211.15 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).

14. **COMMUNICATIONS - COUNCIL MEMBERS**

15. **OTHER BUSINESS**

A. Request to Enter Closed Session Per Iowa Code 21.5.1.c to Discuss Current Litigation

B. Request to Enter Closed Session Per Iowa Code 21.5.1.c to Discuss Pending Litigation

C. Request to Enter Closed Session Per Iowa Code 21.5.1.c to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

16. **ADJOURNMENT**