

COUNCIL



AGENDA

**THURSDAY, DECEMBER 7, 2017
COUNCIL CHAMBERS - CITY HALL – 7:00 P.M.**

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

A. Swearing in of Firefighters Jason Verschoore and Matt Dickerson

At this time Mayor Broderson will swear in the firefighters.

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 6A-B - Approval of City Council Minutes**

A. Regular City Council Minutes – November 16, 2017

B. Goal Setting Session Minutes – November 16, 2017

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

A. Request for renewal of a Class “B” Beer Permit and Sunday Sales for Pizza Hut, 2512 Park Avenue – Summit Pizza, Inc. (pending inspection)

B. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for West Side Store, 2201 Houser Street – DJMB LLC (pending inspections)

C. Request for renewal of a Class “A” Liquor License, Outdoor Service and Sunday Sales for Geneva Golf & Country Club, 3100 Bidwell Road – Geneva Golf & Country Club (pending inspections and insurance)

D. Request for renewal of a Class “C” Liquor License, Outdoor Service and Sunday Sales for Las Lomas, 1519 Park Avenue – Juan, Inc. (pending inspections and insurance)

E. Request for renewal of a Class “C” Liquor License and Sunday Sales for Flaming Embers, 131 West 2nd Street – Flaming Ember Inc. (pending inspections and insurance)

F. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Kum & Go #437, 709 Grandview Avenue – Kum & Go LC (pending inspections and insurance)

G. Request for renewal of a Class “C” Liquor License and Outdoor Service for Guadalajara Restaurant, 208 East 2nd Street – Vazquez Enterprise Inc (pending inspections and insurance)

H. Request for renewal of a Class “B” Beer Permit and Class “C” Native Wine Permit for Hong Kong Buffet, 2406 Park Avenue – Hong Kong Buffet Inc. (pending inspections and insurance)

* **Items 12A-D – Receive and File**

A. Muscatine County Board of Supervisor Minutes – November 6, 13, 14 & 20, 2017

B. Board of Water, Electric, and Communications Trustees Minutes – October 31, 2017

C. MP&W Financial Reports – September 2017

D. Abstract of Votes for November 7, 2017 Election

E. Audit Committee Minutes – November 29, 2017

*** Bills***

* Approval of attached Bills for Approval totaling \$3,189,111.63 is subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

8. PETITIONS AND COMMUNICATIONS

9. FROM THE MAYOR

10. FROM THE PLANNING AND ZONING COMMISSION

11. FROM THE CITY ADMINISTRATOR

A. First Reading of an Ordinance Amending Title 1, Chapter 9, Section 2 (E)

Presented for City Council’s consideration is the first reading of an ordinance amending Title 1, Chapter 9, Section 2 (E). This amendment is for a ministerial correction to the current City Code to clarify and bring the code into compliance with the State Code.

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

B. Resolution Deleting Property from the Consolidated Muscatine Urban Renewal Area

Presented for City Council’s consideration is a resolution deleting property from the Consolidated Muscatine Urban Renewal Area. This is the first step in updating and amending the Urban Renewal Plan and related TIF districts as discussed during previous In-Depth sessions.

Is there a motion to adopt the resolution as submitted?

C. First Reading of an Ordinance Deleting Property from the Tax Increment Financing

District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine Pursuant to Section 403.19 to the Code of Iowa

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

- D. Resolution Setting Public Hearing on Proposed Amendment to the Revitalization Plan for the 2013 Muscatine Housing Urban Revitalization Area

Presented for City Council's consideration is a resolution setting a public hearing on the proposed amendment to the Revitalization Plan for the 2013 Muscatine Housing Urban Revitalization Area. This is the first step amending the Urban Revitalization Plan and creating a new Urban Revitalization Area per our previous In-Depth meeting discussions.

Is there a motion to adopt the resolution as submitted?

- E. Resolution Approving the Contract with the Enhance Iowa Board for the CAT Grant for the Pearls of Progress Project

Presented for City Council's consideration is a resolution approving the contract with the Enhance Iowa Board for the CAT Grant for the Pearls of Progress Project. The Pearls of Progress Project fund Raising effort has reached its goal to raise the funds necessary to qualify for the Enhance Iowa Board \$500,000 Community Attractions and Tourism (CAT) Grant. Now that the project is fully funded, the next step is for City Council to approve the agreement with the Enhance Iowa Board.

Is there a motion to adopt the resolution as submitted?

- F. Resolution Setting Public Hearing on the Zoning Ordinance for Home Based Businesses

Presented for City Council's consideration is a resolution setting Public Hearing on the Zoning Ordinance for Home Based Businesses. Rewriting this portion of the City Code would regulate Home Occupations allowing them to be more beneficial to the community and limiting others that have proven irritating to residents and have generated complaints.

Is there a motion to adopt the resolution as submitted?

- G. Resolution Setting Public Hearing Amending the Zoning Ordinance for Sign Regulations

Presented for City Council's consideration is a resolution setting a public hearing amending the Zoning Ordinance for sign regulations. The next step in the modernization of this ordinance is the rewriting of the portion that regulates signs. The primary intent of the rewrite is to make it more user friendly and understandable.

Prior to any formal action by City Council, a public hearing is required. This public hearing will take place Thursday, December 21, 2017, in the City Hall Council Chambers.

Is there a motion to adopt the resolution as submitted?

H. Resolution Approving Pre-Application to the Iowa Department of Agriculture and Land Stewardship for the Water Quality Initiative Urban Conservation Projects Grant

Presented for City Council's consideration is a resolution approving the pre-application to the Iowa Department of Agriculture and Land Stewardship (IDALS) for the Water Quality Initiative Urban Conservation Projects Grant. The city's Public Works department in cooperation with HNI Corporation, the Muscatine Pollinator Project, and the Muscatine Soil and Water Conservation District would like to submit a grant pre-application for the Water Quality Initiative Urban Conservation Projects funded by the IDALS. This pre-application will be for construction of a bio-retention cell and permeable pavers in the 3rd Street parking lot across from City Hall, along with an infiltration trench in the HNI parking lot on the north side of E. 2nd Street.

Is there a motion to adopt the resolution as submitted?

I. Resolution Approving Settlement Agreement and Release with Invision Architecture for Fire Station #2 Project

Presented for City Council's consideration is a resolution approving a settlement agreement and release with Invision Architecture for the Fire Station #2 Project. A dispute had arisen between the city and Invision concerning architectural services under the Contract. The city and Invision have reached an agreement to resolve all outstanding matters. The city agrees to make payment in the amount of \$22,537.25 consistent with the agreement and release.

Is there a motion to adopt the resolution as submitted?

J. Request to Approve the Goals and Objectives for Fiscal Year 2018/2019

Is there a motion to approve this request as submitted?

K. Request to Approve Change Order 001 for the Cleveland Street Reconstruction Project

Presented for City Council's consideration is a request to approve Change Order 001 for the Cleveland Street Reconstruction Project. During the course of the project, several items arose that required the contractor to do additional work. The change order is for three items totaling \$20,475.00 bringing the total project cost to \$415,851.95.

Is there a motion to approve this request as submitted?

L. Request to Approve Sewer Rate Study Agreement with Veenstra & Kim

Presented for City Council's consideration is a request to approve a Sewer Rate Study Agreement with Veenstra & Kim. This study will be used to determine future rates for wastewater sewerage and treatment as well as collection and drainage fees when the current rates expire June 30, 2018. The rate is not to exceed \$9,300. There is \$15,000 budgeted for this study.

Is there a motion to approve the request as submitted?

M. Request to Approve Mad Creek Inflow & Infiltration Study Agreement with Stanley Consultants.

Presented for City Council's consideration is a request to approve the Mad Creek Inflow & Infiltration (I&I) Study Agreement with Stanley Consultants. This study is ready to have the data analyzed and possible solutions considered to minimize the unnecessary flow to the Mad Creek Lift Station. Staff is recommending the approval of the Professional Services Agreement with Stanley Consultants in the amount of \$9,950.

Is there a motion to approve this request as submitted?

N. Request to Approve Dragline Hose Purchase for the Water Pollution Control Plant

Presented for City Council's consideration is a request to approve a dragline hose purchase for the Water Pollution Control Plant. The lone vendor for this purchase was Eldon C. Stutsman Inc in the amount of \$6,810. There is \$7,000 budgeted for this purchase.

Is there a motion to approve this request as submitted?

O. Request to Approve Purchase of Level IV Ballistic Shield for the Police Department

Presented for City Council's consideration is a request to approved the purchase of a Level IV Ballistic Shield for the Police Department. This shield will be used by the departments tactical team. Staff is recommending the purchase of this shield from Kiesler's Police supply in the amount of \$7,065.50. This purchase will include the cost of a Trolley Carry System that will allow a single operator to control the shield. There will be a \$149 shipping/freight fee for a total cost of \$7,214.50. There is \$7,000 budgeted for this purchase.

Is there a motion to approve this request as submitted?

P. Request to Approve Issuance of Purchase Order for Survey for the West Hill Sewer

Separation Project Phase 3C

Presented for City Council's consideration is a request to approve the issuance of a purchase order for a survey of the West Hill Sewer Separation Project. Survey and construction staking are required for this project. Due to the amount of the proposed cost from Martin and Whitacre, council approval is needed to issue a purchase order for the work. Staff is requesting issuance of a purchase order in the amount of \$12,761. Funds are available in the Sewer Separation budget.

Is there a motion to approve this request as submitted?

Q. Request to Approve the Comprehensive Annual Financial Report and Audit for the Fiscal Year Ended June 30, 2017

Presented for City Council's consideration is a request to approve the Comprehensive Annual Financial Report and Audit for the Fiscal Year Ended June 30, 2017. The report and audit were completed in early November 2017. Staff is requesting that City Council accept the report at this time.

Is there a motion to approve this request as submitted?

R. Request to Approve Proposed Settlement Agreement

Presented for City Council's consideration is a request to approve agreement regarding withdrawal of pending motions for Case #EQCV023989.

Is there a motion to approve this request as submitted?

12. COMMUNICATIONS - RECEIVE AND FILE

13. APPROVAL OF BILLS

It is recommended bills totaling \$3,189,111.63 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**

16. **ADJOURNMENT**