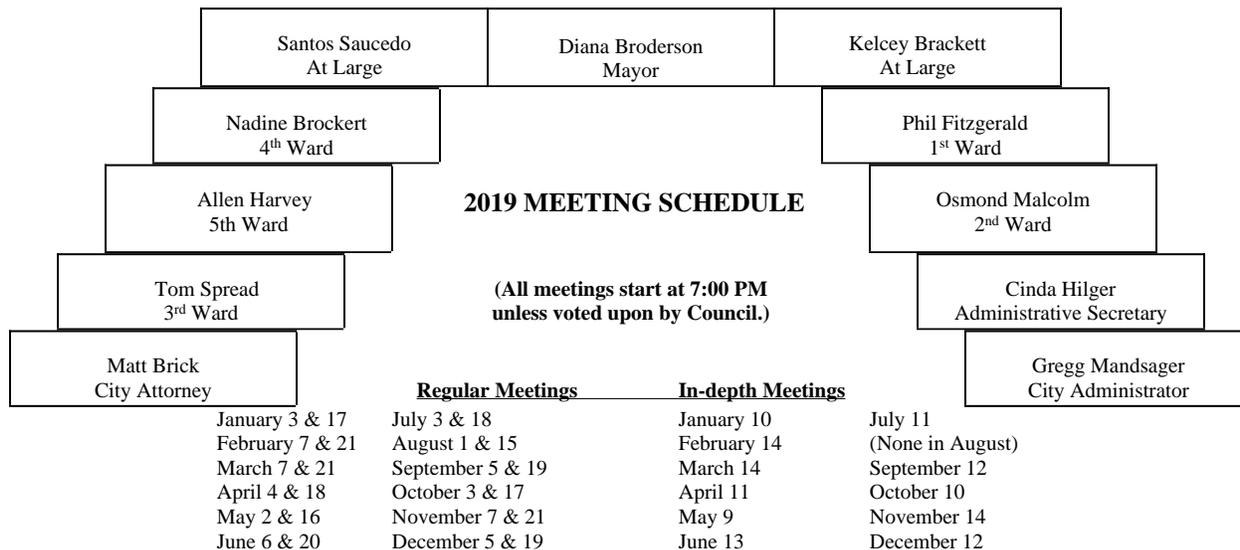


# COUNCIL



## AGENDA

### **THURSDAY SEPTEMBER 19, 2019 COUNCIL CHAMBERS - CITY HALL – 7:00 P.M.**

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

Public Hearing concerning an appeal for nuisance violation of property

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.

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

- A. Regular City Council Meeting Minutes – September 5, 2019
- B. In Depth City Council Meeting Minutes – September 12, 2019

\* **Items 8A-G Petitions and Communications**

- A. Request on first reading for a new Class “B” Wine Permit and Class “C” Beer Permit for West Side Houser Mart, 2201 Houser Street – West Side Houser Mart LLC (pending inspections)
- B. Request for renewal of Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Aldi, Inc. #05, 3200 Northport Drive – Aldi, Inc. (pending inspections)
- C. Request for Use of City Property from Muscatine Soapbox Derby for October 12, 2019
- D. Request for Use of City Property from Muscatine Holiday Stroll for December 6, 2019

\* **Items 9 From the Mayor**

\* **Items 12A-B Receive and File**

- A. Muscatine County Board of Supervisors Minutes (Revised) – August 19, 2019
- B. Muscatine County Board of Supervisors Minutes – August 26, 2019

\* **Bills\***

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

**6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

A. Right of Way Vacation – Brier Street and Adjoining Alley

This public hearing concerns the vacation of right of way for Brier Street and portions of the adjoining alley. Brier Street no longer serves an interest to anyone beyond the adjoining property owner.

Now is the time for the public to speak

B. Right of Way Vacation – Hancock Street and Lake Park Boulevard

This public hearing concerns the vacation of right of way located on Lake Park Boulevard and Hancock Street adjacent to 922 Hancock Street. The adjoining land owners plan to purchase the property from the City to use for improvements to the business they operate at that location.

Now is the time for the public to comment.

C. Utility Easement Vacation – Lots 4C and 4B of Sunrise Subdivision

This public hearing concerns the vacation of utility easements at lots 4C and lot 4B of Sunrise Subdivision. This request was submitted by University Storage to vacate unused and unneeded utility easements and allow for development across the boundary between lots 4B and 4C.

Now is the time for the public to comment

D. Utility Easement Vacation – 3702 Park Avenue West and 3811 Park Avenue West

This public hearing concerns the vacation of Utility Easements located at 3702 and 3811 Park Avenue West. This request was submitted by White Distribution to vacate unused and unneeded utility easements that encroach on existing buildings.

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. Ordinance Amending Title 1 Administrative, Chapter 10 Section 2(E)(1)(b) City Officers and Employees.

Presented for City Council’s consideration is the second reading of an Ordinance amending Title 1, Chapter 10, Section 2, (e)(1)(b) City Officers and Employees.

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

B. Ordinance Concerning Right of Way Vacation – Brier Street and Adjoining Alley

Presented for City Council’s consideration is the first reading of an Ordinance vacating right of way for Brier Street and portions of the adjoining Alley. Brier Street no longer serves an interest to anyone beyond the adjoining property owner.

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

C. Ordinance Concerning Right of Way Vacation – Hancock Street and Lake Park

Boulevard

Presented for City Council's consideration is the first reading of an Ordinance vacating right of way located on Lake Park Blvd and Hancock Street adjacent to 922 Hancock Street. The adjoining land owners plan to purchase the property from the City to use for their business.

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

D. Resolution Concerning Utility Easement Vacation – Lots 4C and 4B of Sunrise Subdivision

Presented for City Council's consideration is a Resolution to vacate utility easements on Lots 4B and 4C of Sunrise Subdivision. This request was submitted by University Storage to vacate unused and unneeded utility easements and allow for development across the boundary between lots 4B and 4C.

Is there a motion to adopt this Resolution as submitted?

E. Resolution Concerning Utility Easement Vacation – 3702 Park Avenue West and 3811 Park Avenue West

Presented for City Council's consideration is a Resolution to vacate utility easements located at 3702 and 3811 Park Avenue West. This request was submitted by White Distribution to vacate unused and unneeded utility easements that encroach on existing buildings.

Is there a motion to adopt this Resolution as submitted?

F. Resolution Approving Contract and Bond for the West Side Trail Project

Presented for City Council's consideration is a Resolution approving the contract and bond for the West Side Trail Project. Two bids were received with only one, from Heuer Construction, being responsible. Staff recommends approving the contract and bond with Heuer Construction to allow for the start of this project as quickly as possible.

Is there a motion to adopt this resolution as submitted?

G. Resolution Relating to Financing Certain Proposed Projects to be Undertaken by the City and Establishing Compliance with Reimbursement Bond Regulations Under the Internal Revenue Code

Presented for City Council's consideration is a resolution relating to the financing of certain proposed projects to be undertaken by the city and establishing compliance with reimbursement bond regulations under the Internal Revenue

Code. The IRS requires that cities identify projects that may be financed in whole or in part through the issuance of general obligation bonds. Bids have been received on several of the projects to be funded in whole or in part from the city's next bond issue scheduled for the spring of 2020.

Is there a motion to adopt this Resolution as submitted?

H. Resolution Approving Contract and Bond for the Airport Hangar and Apron Construction Project

Presented for City Council's consideration is a Resolution approving the Contract and Bond for the Airport Hangar and Apron Construction Project. Staff recommends the approval of the contract and bond with SG Construction to allow for the start of this project.

Is there a motion to adopt this resolution as submitted?

I. Resolution Authorizing the Assessment of Unpaid Abatement Costs to Private Properties

Presented for City Council's consideration is a resolution authorizing the assessment of unpaid abatement costs to private properties. Periodically the city takes action to assess unpaid nuisance abatement costs to private properties. The nuisance abatement costs for snow, junk, and weed removal total \$10,246.28. The administrative fees are \$2,200.00 and the assessment fees are \$1900.00. The total fee being requested for assessment at this time totals \$14354.26.

Is there a motion to adopt this resolution as submitted?

J. Resolution Approving Annual City Street Finance Report for Fiscal Year 2018/2019

Presented for City Council's consideration is a resolution approving the Annual City Street Finance Report for Fiscal Year 2018/2019. Street-related expenditures for the year totaled \$8,303,423.00 which includes \$7,914,093.00 paid from city funds and funding sources and \$389,330.00 of street lighting costs provided by Muscatine Power & Water.

Is there a motion to adopt the resolution as submitted?

K. Request to Approve the Annual Urban Renewal Report to the State of Iowa for the Year Ended June 30, 2019

Presented for City Council's consideration is a request to approve the Annual Urban Renewal Report for the Year Ended June 30, 2019. The state requires local governments complete and submit an annual report showing all activity with each

of their urban renewal areas during the preceding fiscal year. The report included with this agenda is the updated information for fiscal year 2018/2019.

Is there a motion to approve the request as submitted?

- L. Request to Approve Issuance of a Purchase Order to Prepare Survey Plats for the 2<sup>nd</sup> Street and Mulberry Avenue Roundabout Project

Presented for City Council's consideration is a request to approve the issuance of a purchase order in an amount not to exceed \$12,000, to Martin and Whitacre, for preparation of survey plats for the 2<sup>nd</sup> Street and Mulberry Avenue Roundabout Project. The cost of this work will be paid from the Jurisdictional Transfer Fund.

Is there a motion to approve this request as submitted?

- M. Request to award Impound/Towing Contract to Midtown Towing and Repair

Presented for City Council's consideration is a request to award the Impound/Towing contract to midtown Towing and Repair commencing October 1, 2019 for three years, with the option to extend the contract for an addition three years. Midtown was the only bid received for the RFP that was sent out.

Is there a motion to approve this request as submitted?

- N. Request to Approve the Issuance of a Purchase Order for Roadway Maintenance Dump Truck Body, Salt spreader and two plows.

Presented for City Council's consideration is a request to approve the issuance of a purchase order in the amount of \$90,778.00, to Henderson Manufacturing for the purchase of Dump Body, Salt Spread and two plows for the previously purchased chassis. Two bids were received for this purchase and the bid that best met the specifications was from Henderson Manufacturing.

Is there a motion to approve this request as submitted?

- O. Request to Approve the Issuance of a Purchase Order for Fuller Park Playground Surfacing Project

Presented for City Council's consideration is a request to approve the issuance of a purchase order in the amount of \$113,049.44, to Ecoturf Surfacing/Taylormade Co., for the Fuller Park Playground Surfacing Project. Three bids were received with Ecoturf Surfacing/Taylormade Co. being the low bidder. There is \$140,000 approved in the budget for this expense.

Is there a motion to approve this request as submitted?

- P. Request to Approve Addition Monitoring Well Installation and Reporting for Landfill as Required by Iowa

Presented for City Council's consideration is a request to approve the issuance of a purchase order in the amount of \$15,090.00, to Barker Lemar for additional charges related to ground water sampling wells required by the Iowa DNR.

Is there a motion to approve this request as submitted?

- Q. Request to Accept Responses to the Carver Corner Redevelopment Request for Proposals, Designate Merge Urban Development Group as the Preferred Developer, Authorize Staff to Negotiate a Development Agreement, and to enter into Negotiations for the Acquisition of Property.

**12. COMMUNICATIONS - RECEIVE AND FILE**

**13. 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).

**14. COMMUNICATIONS - COUNCIL MEMBERS**

**15. OTHER BUSINESS**

**16. ADJOURNMENT**