

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-G
- * 13 – A-I
- * Bills*

* Approval of attached Bills for Approval totaling \$4,057,805.58, as well as receipt summaries and journal entries for February 2010, is subject to the approval of any related agenda item(s).

8. PUBLIC HEARING

- A. Proposed Partial Vacation of a Utility Easement in Cobblestone Ridge Replat of Phase II

This public hearing concerns the proposed partial vacation of a utility easement in Cobblestone Ridge Replat 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.

Now is the time for the public to comment.

9. PETITIONS AND COMMUNICATIONS

- A. Second 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)
- B. First reading on a new Class C Liquor License and Sunday Sales Permit for Krug’z Pool Hall Inc., 218 Walnut Street – Steve Krueger (pending receipt of final paperwork)

- C. First reading on a new Class C Liquor License for Jack’s Bar, 500 Mulberry Avenue – Isaac Fernandez (pending receipt of final paperwork)
- D. Request for renewal of a Class C Liquor License and Sunday Sales Permit for El Allende Inc., 1107 Grandview Avenue – Alfonso Rojas
- E. Request for renewal of a Class B Beer and Sunday Sales Permit for China Buffet of Muscatine Inc., 1903 Park Avenue #48 – Fa Ni
- F. Request for renewal of a Class C Beer and Sunday Sales Permit for Fast Avenue One Stop, 2111 Park Avenue – JBC LLC
- G. Request for renewal of a Class C Beer and Sunday Sales Permit for Walgreens #5885, 1703 Park Avenue – Walgreen Co.

10. FROM THE MAYOR

11. FROM THE PLANNING AND ZONING COMMISSION

12. FROM THE CITY ADMINISTRATOR

- A. Final Reading of an Ordinance Amending Title 3 Public Way and Property Chapter 9 Street Obstruction

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

- B. Final Reading of an Ordinance Amending Title 7 Police Regulations Chapter 18 Snow Emergency Regulations

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

C. Resolution Approving the Partial Vacation of an Existing Utility Easement in the Cobblestone Ridge Replat of Phase II in the City of Muscatine

Presented for City Council's consideration is a resolution approving the partial vacation of an existing utility easement in the Cobblestone Ridge Replat of Phase II in the City of Muscatine. As stated in the public hearing, the owners are requesting that a portion of the existing utility easement be vacated, a new easement created, and the changes recorded for future reference.

Is there a motion to adopt the resolution as submitted?

D. Resolution Setting a Public Hearing on a Proposed Development Agreement with H.J. Heinz Company LP

Presented for City Council's consideration is a resolution setting a public hearing on a proposed development agreement with H.J. Heinz Company LP. On January 21, 2010, City Council adopted an Urban Renewal Plan for the 2010 Industrial Urban Renewal Area. At this time, the city is proposing the approval of a development agreement with H.J. Heinz Company LP with respect to the construction of new facilities for the company's business operations. The proposed development agreement would provide financial incentives to the company in the form of incremental property tax payments in an amount not to exceed \$425,000. Prior to the approval of the development agreement, a public hearing is required. This public hearing will be held on Thursday, June 17, 2010, at 7 p.m. in the City Hall Council Chambers.

Is there a motion to adopt the resolution as submitted?

E. Resolution Approving Grant Agreement with the Federal Aviation Administration for the Acquisition of Snow Removal Equipment

Presented for City Council's consideration is a resolution approving a grant agreement with the FAA for the acquisition of snow removal equipment. On May 6, 2010, City Council took action to accept the low bid from Elder Implement Company in the amount of \$122,727.68 for the acquisition of a snow removal tractor for the Muscatine Municipal Airport. The next step in this process is the approval of the grant agreement with the FAA. Once the agreement has been executed by the FAA, the city will proceed with the purchase of the equipment.

Is there a motion to adopt the resolution as submitted?

F. Resolution Accepting Completed Work Performed Under the W. 3rd/Chestnut Street Parking Lot Project and Authorizing Final Payment

Presented for City Council's consideration is a resolution accepting completed work performed under the W. 3rd/Chestnut Street Parking Lot Project and authorizing final payment. On August 6, 2009, City Council awarded the contract for this project to Sulzberger Excavating in the amount of \$394,086.25. The net change order amount was \$31,897.75 and other quantity adjustments increased the total project cost to \$431,520.20. Work on the project has been completed and inspected by the city engineer and has met the plans and specifications adopted by Council. It is staff's recommendation the work be accepted and final payment made to Sulzberger Excavating.

Is there a motion to adopt the resolution as submitted?

G. Resolution Accepting Completed Work Performed Under the Clay Street Inlay Project and Authorizing Final Payment

Presented for City Council's consideration is a resolution accepting completed work performed under the Clay Street Inlay Project and authorizing final payment. On May 21, 2009, City Council awarded the contract for this project to Vieth Construction Corporation in the amount of \$912,267.20. This project included the reconstruction of Clay Street from Isett Avenue to Park Avenue. The net change order amount was \$13,227.96 and other quantity adjustments increased the total project cost to \$928,698.48. Work on the project has been completed and inspected by the city engineer and has met the plans and specifications adopted by Council. It is staff's recommendation the work be accepted and final payment made to Vieth Construction Corporation.

Is there a motion to adopt the resolution as submitted?

H. Resolution Setting Public Hearing on Proposed Automated Curbside Recycling Program

Presented for City Council's consideration is a resolution setting a public hearing on a proposed automated curbside recycling program. At the May In-Depth meeting, city staff gave a presentation on the implementation of automated curbside recycling and the costs associated with the program. The proposed cost per resident would be \$1.69 per month. If the program is approved by Council, recycling trailers would be removed from locations around the City of Muscatine with one recycling drop-off location at the Muscatine Recycling Center and Transfer Station. Prior to any formal action by City Council, a public hearing is required. This public hearing will be held on Thursday, June 17, 2010, at 7 p.m.

Is there a motion to adopt the resolution as submitted?

I. Resolution Approving New Bank Account at Central State Bank

Presented for City Council's consideration is a resolution approving a new bank account at Central State Bank. The city has checking, money market and savings accounts with First National Bank, Central State Bank, and Community Bank. The city's Investment Policy provides that the city solicit bids for investment of city funds generally in the form of Certificates of Deposit from these three banks as well as IPAIT (Iowa Public Agency Investment Trust). With the current very low interest rates, there has been little interest in submitting bids for city investments. In recent months the rates on money market accounts have been higher than those that would be earned on CD's if bids would be received. This has resulted in the majority of city funds being held in money market accounts at First National Bank. The city will be receiving proceeds from the recent bond issue on June 1st which will further increase the balances in those accounts; therefore, First National Bank has requested the city consider placement of some of the increased funds in U.S. Treasury securities or other banking institutions. Central State Bank has offered a money market account at a fixed rate of .25%.

Is there a motion to adopt the resolution as submitted?

J. Resolution Setting Public Hearing on the Plans, Specifications, Form of Contract, Cost Estimate and Setting Bid Opening Date for the Sunset Park Resident Addition

Presented for City Council's consideration is a resolution setting a public hearing on the plans, specifications, form of contract, cost estimate and setting a bid opening date for the Sunset Park Resident Addition. On May 20, 2010, City Council authorized the Housing Administrator to enter into a professional planning and design service contract with Neumann Monson for a 1,200 square foot addition to the existing Sunset Park office building. It is now necessary to adopt the resolution relating to the construction of the addition. Prior to any formal action by City Council, a public hearing is required. This public hearing will be held on Thursday, June 17, 2010, at 7 p.m.

Is there a motion to adopt the resolution as submitted?

K. Request to Approve the City's Insurance Renewal Effective July 1, 2010

Presented for City Council's consideration is a request to approve the city's insurance renewal effective July 1, 2010. As outlined in the Executive Summary provided by Holmes Murphy, it is their recommendation that the city renew its property/casualty policy with Traveler's Insurance Company and Workers' Compensation coverage with United Heartland.

Is there a motion to approve the request as submitted?

L. Request to Approve Contract Renewal Between the City of Muscatine and Genesis Employee Assistance Program

Presented for City Council's consideration is a request to approve the contract renewal between the City of Muscatine and Genesis Employee Assistance Program. The city has been contracting with Genesis Health Systems to provide this service for a number of years. This benefit has been heavily utilized by city employees. The current contract expires June 30, 2010.

Is there a motion to approve the request as submitted?

M. Request to Approve the Contract Between the Teamsters, Chauffeurs, and Helpers Local #238 and the City of Muscatine

Presented for City Council's consideration is a request to approve the contract between the Teamsters, Chauffeurs, and Helpers Local #238 and the City of Muscatine. This agreement covers the Blue/White Bargaining Unit and is effective July 1, 2010 through June 30, 2011.

Is there a motion to approve the request as submitted?

N. Request Authorizing Agreement with Shoemaker-Haaland for Design of Colorado Street from Park Avenue to University Drive

Presented for City Council's consideration is a request to authorize an agreement with Shoemaker-Haaland for design of Colorado Street from Park Avenue to University Drive. This street has been earmarked in the city's Capital Improvement Program for reconstruction from a "rural" road to a collector street. In addition, \$1.2 million is available through the Federal Surface Transportation Improvement Program (STIP) to fund the project. Colorado Street services many businesses, schools, residences and Weed Park and the volume of traffic now exceeds the capacity to move vehicles efficiently. Shoemaker-Haaland was responsible for the initial Concept Study submitted to the Iowa Department of Transportation which secured the STIP funds to do the project. Therefore, it is staff's recommendation the design contract be awarded to Shoemaker-Haaland at a cost of \$190,550.

Is there a motion to approve the request as submitted?

O. Request to Purchase TKN Digestion Unit for the Water Pollution Control Plant

Presented for City Council's consideration is a request to purchase a TKN Digestion Unit for the Water Pollution Control Plant. The current unit is no longer functioning and the cost of sending out samples for testing will be approximately \$200 a week. This unit is used for operation purposes and will be required under a new permit to test on a more frequent basis. In addition, this unit is used to test samples for some of the local industries. This purchase will be funded within the overall operating budget

of the Water Pollution Control Plant. Staff has authorized the purchase of this piece of equipment in the amount of \$8,415 and it would now be appropriate for City Council to officially endorse this purchase.

Is there a motion to approve the request as submitted?

P. Request to Approve Agreement for Biosolids Application

Presented for City Council's consideration is a request to approve an agreement between the City of Muscatine and F&J Hahn Inc. and George B. Hahn Inc. for the application of liquid biosolids on agricultural land. The distribution of the liquid biosolids by the Water Pollution Control Plant will begin June 3, 2010 and will continue for a five-year period.

Is there a motion approve the request as submitted?

Q. Request to Approve Agreement Between Eastern Iowa Community College District/Muscatine Community College and the City of Muscatine for Video/Cablecast Services

Presented for City Council's consideration is a request to approve a 28E agreement between Eastern Iowa Community College District/Muscatine Community College and the City of Muscatine for video/cablecast services. This agreement replaces the existing 28E Agreement and will be effective July 1, 2010 through June 30, 2013.

Is there a motion to approve the request as submitted?

R. Request from Police Department to Submit a Grant Application for the 2010 COPS Hiring Program

Presented for City Council's consideration is a request from the Police Department to submit a grant application for the 2010 COPS Hiring Program. The Police Department has been notified they are eligible to update and resubmit their application for the hiring of two police officers. The grant, if received, would pay the entry level salary and benefits for these positions for three years. Under the grant program, the city would be required to maintain the two positions for at least a fourth year after the grant ends and would be responsible for any increase in the officers' salaries and benefits.

Is there a motion to approve the request as submitted?

- S. Request Authorization to Enter an Agreement with the Iowa Department of Transportation for an Earmark Funded Project: New Era Road from Highway 22 at Wild Cat Den Avenue to Weed Park

Presented for City Council's consideration is a request for authorization to enter into an agreement with the Iowa Department of Transportation for an earmark funded project: New Era Road from Highway 22 at Wild Cat Den Avenue to Weed Park. Muscatine County and Scott County received a federal earmark of \$493,069.50 each for the construction of segments of the Mississippi River Trail (MRT) which is intended to eventually connect both counties with a pedestrian/walking trail. The city and Muscatine County will use their funds to continue the MRT from Weed Park through the Bridgestone/Bandag campus then east along property owned by HNI crossing University Avenue and intersecting Solomon Road then north to New Era Road with the destination of Wild Cat Den. The plans have been submitted to the IDOT with an anticipated bid letting in August 2010.

Is there a motion to approve the request as submitted?

13. COMMUNICATIONS - RECEIVE AND FILE

- A. Muscatine County Board of Supervisors – May 10 & 17, 2010
- B. Planning & Zoning Commission – April 13, 2010
- C. Airport Advisory Commission – April 19, 2010
- D. Senior Resources – April 27, 2010
- E. MP&W – Communications Utility – April 2010
- F. MP&W – Electric Utility – April 2010
- G. MP&W – Water Utility – April 2010
- H. Joint Communications Commission – May 13, 2010
- I. MPW Board – April 27, 2010

14. APPROVAL OF BILLS

It is recommended bills totaling \$4,057,805.58, as well as receipt summaries and journal entries for February 2010, 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