

COUNCIL



AGENDA

THURSDAY, JULY 21, 2016
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 6A-B - Approval of City Council Minutes**

- A. Regular City Council Minutes – July 7, 2016
- B. In-Depth City Council Minutes – July 14, 2016

*** Item 9A-J – From the Mayor**

- A. Request to Approve Reappointments of Scott Natvig and Stacy Lewis to the Airport Advisory Commission
- B. Request to Approve Reappointments of Rochelle Conway and James Burr to the Art Center Board of Trustees
- C. Request to Approve New Appointment of Keith Porter to the Board of Water, Electric, and Communications Trustees
- D. Request to Approve New Appointment of Henry Marquard to the Civil Service Commission
- E. Request to Approve Reappointments of Robert Bahn, Beth Johnson, and Anthony Loconsole to the Convention and Visitors Board
- F. Request to Approve Reappointment of Bret Olson to the Library Board of Trustees
- G. Request to Approve New Appointment of Wendi Ingram to the Planning and Zoning Commission
- H. Request to Approve Reappointments of Dr. Bradley Bark and Dana Kraft to the Recreation Advisory Commission
- I. Request to Approve New Appointment of Kraig Reed and Reappointment of Tom Curry to the Transportation Advisory Commission
- J. Request to Approve New Appointments of Robert McFadden and Gary Mowl to the Zoning Board of Adjustment

*** Items 12A – Receive and File**

- A. Muscatine County Board of Supervisors – June 13, 14 & 27, 2016

* **Bills***

* Approval of attached Bills for Approval totaling \$2,163,397.99 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. Discussion by the City Attorney Related to the Appointment and Removal Powers as Contained in the City Code

At this time the City Attorney will discuss this matter with City Council.

B. First Reading of Ordinance Amending Appointment and Removal Powers in Title 1 Chapter 11, Title 2, Chapters 1, 2, 3, 4, 6, 7, 8, and 9, and Title 6, Chapter 1; and Adding Chapters 11 and 12 to Title 2

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

C. Presentation of Amendment to City Council Rules

At this time the City Attorney will make a presentation concerning the amendment to City Council Rules.

D. Second Reading of an Ordinance Amending the Zoning Ordinance for Property Located at 1409 Wisconsin Street (formerly Garfield School)

Presented for City Council's consideration is the second reading of an ordinance amending the zoning ordinance for property located at 1409 Wisconsin Street (formerly Garfield School). The property owners are requesting that 4.41 acres on the eastern end of the parcel containing the former school building be rezoned to S-2 Institutional Office.

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

E. Resolution Approving Purchase of 201 Green Street Related to the Mississippi Drive

Corridor Project and Accepting Quit Claim Deed

Presented for City Council's consideration is a resolution approving the purchase of 201 Green Street related to the Mississippi Drive Corridor Project and accepting the quit claim deed. A vacant property located adjacent to the 200 block of Green Street has recently become available and the city has negotiated a proposed purchase with the owner of record. This property has been deemed appropriate and/or necessary for the Mississippi Drive Corridor Project.

Is there a motion to adopt the resolution as submitted?

F. Resolution Releasing Real Estate Mortgage Under the 2009 Community Development Block Grant Owner-Occupied Residential Rehabilitation Program for 1828 New Hampshire Street

Presented for City Council's consideration is a resolution releasing a real estate mortgage under the 2009 Community Development Block Grant Owner-Occupied Residential Rehabilitation Program for 1828 New Hampshire Street. The property owner participated in the 2009 residential rehabilitation program in 2010 receiving the maximum \$24,999 in funding assistance through a five-year forgivable loan. The mortgage was signed on August 13, 2010 and the project completed on January 6, 2011. Twenty percent (20%) of the loan has been forgiven annually on the anniversary date of the completion of the project. The entire \$24,999 debt has been forgiven. It is now necessary for City Council to take action releasing the real estate mortgage.

Is there a motion to adopt the resolution as submitted?

G. Request to Accept Low Bid for Concrete Crushing

Presented for City Council's consideration is a request to accept the low bid for concrete crushing. Two bids were received with the low bid from Bushman Excavating of Fairfax, Iowa, in the amount of \$5.47 per ton. The total amount of the work, which includes mobilization to the Public Works lower lot, will not exceed \$50,000. There is \$50,000 budgeted for this work.

Is there a motion to approve the request as submitted?

H. Request from Traffic Committee to Replace Traffic Signal at W. 8th Street and Roscoe Avenue with a Stop Sign

Presented for City Council's consideration is a request from the Traffic Committee to replace the traffic signal located at W. 8th Street and Roscoe Avenue with a stop sign. Effective August 23, 2016, Washington School will no longer be used as a school by the Muscatine Community School District. Due to the school's closure, pedestrian traffic around the school is anticipated to be much lower. The removal of the traffic

signal will be done by Muscatine Power & Water at no cost to the city; however, the city will be responsible for the installation of the stop sign at the intersection.

Is there a motion to approve the request as submitted?

I. Request to Authorize the Issuance of a Purchase Order for a Truck for Park Maintenance

Presented for City Council's consideration is a request to approve the purchase of a truck for Park Maintenance. Four bids were received with the low bid from Krieger Motor Company in the amount of \$54,164. There is \$60,000 budgeted for this purchase.

Is there a motion to approve the request as submitted?

J. Request to Authorize Issuance of a Purchase Order for a Mower for the Cemetery Operation

Presented for City Council's consideration is a request to authorize the issuance of a purchase order for a mower for the Cemetery Operation. Seventeen bids were received for this purchase with nine meeting the minimum requested bid specifications. Staff is recommending the approval of the low bid from Iowa Farm Equipment in the amount of \$8,499. There is \$10,000 budgeted for this purchase.

Is there a motion to approve the request as submitted?

K. Request to Approve Amendment to Retail Sales and Service Agreement and Lease for Greenwood Cemetery

Presented for City Council's consideration is a request to approve the amendment to the Retail Sales and Service Agreement and Lease with Peter Troost Monument Company Inc., doing business as Iowa Memorial Granite Company, for Greenwood Cemetery. The requested amended change is the extension of the agreement by two years (July 1, 2016 through June 30, 2018).

Is there a motion to approve the request as submitted?

L. Request to Approve Amendment to Business Office Operations Agreement for Greenwood Cemetery

Presented for City Council's consideration is a request to approve an amendment to the Business Office Operations Agreement with Peter Troost Monument Company Inc., doing business as Iowa Memorial Granite Company, for Greenwood Cemetery. The requested amended change is the extension of the agreement by two years (July 1, 2016 through June 30, 2016).

Is there a motion to approve the request as submitted?

M. Request to Approve 2016/2017 Deer Hunt within the City of Muscatine

Presented for City Council's consideration is a request to approve the 2016/2017 Deer Hunt within the City of Muscatine. If approved, this year's hunt will again be for bow hunting on approved private property of two acres or more. Property owners may combine parcels to reach the two acre minimum. The hunt will begin September 17, 2016 and end January 10, 2017.

Is there a motion to approve the request as submitted?

N. Request from Police Department to Approve Video Server for Interview Room

Presented for City Council's consideration is a request from the Police Department to approve the purchase of a video server for the Interview Room. As part of this purchase, a camera/mic system will be moved to the new Interview Room. Three vendors were contacted. The quote from FSS Inc. in the amount of \$8,854.50 includes the cost of moving the camera/mic system and the ability to switch the microphone on and off. The cost of this purchase will be paid through the Forfeiture Fund account.

Is there a motion to approve the request as submitted?

O. Request to Approve Contract Settlement and Termination Agreement for the Muscatine Mall Development Agreement

Presented for City Council's consideration is a request to approve the contract settlement and termination agreement for the Muscatine Mall Development Agreement. The three parties to the development agreement no longer have any ownership interest in the Muscatine Mall and no ability to make improvements to this property going forward. The existing agreement is considered a debt of the city and counts against the city's legal debt limit. The three parties have requested the settlement amount be allocated and paid to each of the parties according to the allocation in the settlement agreement. Additionally, one of the previous owners continues to own property adjacent to the Muscatine Mall which is in the Mall TIF District. The owner has requested a new 10 year, 50% basic TIF agreement for planned improvements to those parcels using the base value of those parcels in the previous agreement. Rebates under the proposed new agreement would be subject to annual appropriate.

Is there a motion to approve the request as submitted?

P. Request to Approve Chamber Commercial Dumpster Committee Recommendation

Presented for City Council's consideration is a request to approve the Chamber

Commercial Dumpster Committee Recommendation. As per presentations given at the May 12, 2016 and July 14, 2016 In-Depth meetings, the City Code provides that City Council establish guidelines for collection fees to commercial customers. Staff is requesting City Council approve the rate schedule recommended by the Chamber Committee as the guideline for rates for commercial customers with dumpsters. Staff is further recommending these accounts and the rate structure be reviewed again a year after the new rate guidelines are implemented.

Is there a motion to approve the request as submitted?

Q. Request to Accept Remaining Bid Alternates for Art Center HVAC and Building Envelope Improvement Project

Presented for City Council's consideration is a request to accept the remaining bid alternates for the Art Center HVAC and Building Envelope Improvement Project. The original contract with the Crawford Company for this project included the minimum recommended work by A&J Associates as funding for the full project with all alternates had not been secured. The Muscatine Art Center Support Foundation has agreed to cover the unfunded portion (up to \$360,000) for these alternates. Staff is requesting City Council take action to accept the remaining bid alternates for this project.

Is there a motion to approve the request as submitted?

R. Request to Approve Change Order #1 for Art Center HVAC Building Envelope Improvement Project

Presented for City Council's consideration is a request to approve Change Order #1 for the Art Center HVAC Building Envelope Improvement Project. This change order, totaling \$51,500.75, includes Requests 1-7, 11, and 13-17 which meet the contract requirements with the Crawford Company for accommodating changes in the scope of the work. Requests 8, 9, 10, 12 are deferred maintenance items at the Art Center that will be handled outside of the contract.

Is there a motion to approve the request as submitted?

12. COMMUNICATIONS - RECEIVE AND FILE

13. APPROVAL OF BILLS

It is recommended bills totaling \$2,163,397.99 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 Approval to Enter Closed Session Per Iowa Code 21.5(c) for Pending Litigation (potential action to follow)

16. ADJOURNMENT