

COUNCIL

Santos Saucedo At Large	Diana Broderson Mayor	Scott Natvig At Large	
Robert Bynum 4 th Ward	2016 MEETING SCHEDULE (All meetings start at 7:00 PM unless voted upon by Council.)	Phil Fitzgerald 1 st Ward	
Allen Harvey 5 th Ward		Michael Rehwaldt 2 nd Ward	
Tom Spread 3 rd Ward		Fran Donelson Administrative Secretary	
Matt Brick City Attorney		Gregg Mandsager City Administrator	
January 7 & 21	<u>Regular Meetings</u>	<u>In-depth Meetings</u>	January 14
February 4 & 18	July 7 & 21	February 11	July 14
March 3 & 17	August 4 & 18	March 10	(None in August)
April 7 & 21	September 1 & 15	April 14	September 8
May 5 & 19	October 6 & 20	May 12	October 13
June 2 & 16	November 3 & 17	June 9	November 10
	December 1 & 15		December 8

AGENDA

**THURSDAY, OCTOBER 20, 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 – October 6, 2016
- B. In-Depth City Council Minutes – October 13, 2016

*** Items 8A-B - Petitions and Communications**

- A. Second reading for a new Class “C” Beer Permit, Class “B” Wine Permit, Class “E” Liquor License and Sunday Sales for Express Mart, 4804 S Highway 61 – AVIYA LLC (pending inspections)
- B. Cigarette Permit for Express Mart, 4804 South Highway 61
- C. Request from Zach Sulzberger to Move Metal Building from the Water Pollution Control Plant

This request is for the moving of a building from the Water Pollution Control Plant to the Sulzberger property also located on Musser Street.

*** Item 11 – City Administrator**

- A. Appointments of Gary Mowl to the Planning & Zoning Commission and Robert McFadden to the Zoning Board of Adjustment

*** Item 12A-E – Receive and File**

- A. Muscatine County Board of Supervisors Minutes – September 26, 2016 and October 3, 2016
- B. MP&W Communications Utility Operating Statements – August 2016
- C. MP&W Electric Utility Operating Statements – August 2016
- D. MP&W Water Utility Operating Statements – August 2016
- E. City of Muscatine Financial Reports – July and August 2016
- F. Nominating Committee Minutes – September 14, 2016

*** Bills***

- * Approval of attached Bills for Approval totaling \$4,405,815.46, which includes journal entries and receipt summaries for July and August 2016, is subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

A. Proposed Urban Renewal Plan Amendment for the Consolidated Muscatine Urban Renewal Area

This public hearing concerns the proposed Urban Renewal Plan Amendment for the Consolidated Muscatine Urban Renewal Area. The amendment includes seven projects that would allow for the use of tax increment financing funds to pay for them. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

B. Proposed Development Agreement with Harrison Lofts LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

This public hearing concerns a proposed development agreement with Harrison Lofts LLC, authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement. The proposed development agreement with Harrison Lofts LLC is for their construction of an apartment complex which will provide low and moderate income housing. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

C. Proposed Development Agreement with KRE LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

This public hearing concerns a proposed development agreement with KRE LLC, authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement. The proposed development agreement with KRE LLC is for the redevelopment of a commercial facility. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

D. Proposed Lease of Certain Premises Located at the Municipal Airport for Fixed Base Operations

This public hearing concerns the proposed lease of certain premises located at the Municipal Airport for Fixed Base Operations. The proposed lease has been reviewed and approved by the current lessee (Carver Aero) and by the Airport Advisory Commission. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

E. Proposed Vacation of Utility Easements in the Riverbend Second Addition (3222 Clermont Drive)

Presented for City Council's consideration is a proposed vacation of utility easements in the Riverbend Second Addition (3222 Clermont Drive). The property owner has submitted an easement vacation plat for a 10' wide utility easement composed of two adjoining 5' utility easements located on Lots 16 and 17 at this location. The property owner plans to combine the two lots. 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 Urban Renewal Plan Amendment for the Consolidated Muscatine Urban Renewal Area

Is there a motion to adopt the resolution as submitted?

B. Resolution Approving Development Agreement with Harrison Lofts LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Is there a motion to adopt the resolution as submitted?

- C. Resolution Approving Development Agreement with KRE LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Is there a motion to adopt the resolution as submitted?

- D. Resolution Approving the Lease of Certain Premises Located at the Muscatine Airport for Fixed Base Operations

Is there a motion to adopt the resolution as submitted?

- E. Request to Approve Airport Manager's Agreement

Presented for City Council's consideration is a request to approve the Airport Manager's Agreement. The agreement provides for hours of operation, maintenance of the buildings and grounds, mowing, snow removal, insurance coverage, and related management responsibilities as outlined. The proposed agreement has been reviewed and approved by Carver Aero, the current manager, and the Airport Advisory Commission. The agreement will begin with the execution of this agreement and end June 30, 2030 with a provision it will automatically be extended for two additional five year periods provided it is determined to be mutually beneficial to the city and Carver Aero.

Is there a motion to approve the request as submitted?

- F. Request to Accept Property Donated by Carver Riverfront Real Estate Inc.

Presented for City Council's consideration is a request to accept property donated by Carver Riverfront Real Estate Inc. In consideration for gifting this property to the city, Carver is requesting the Fixed Base Operator Lease and Airport Manager's agreements between the City of Muscatine and Carver Aero Inc. be amended to allow for term extensions through June 30, 2040.

Is there a motion to approve the request as submitted?

- G. Resolution Approving Vacation of Utility Easements in the Riverbend Second Addition (3220 Clermont Drive)

Is there a motion to adopt the resolution as submitted?

H. Resolution Approving Final Plat of the Shoultz Acres Subdivision

Presented for City Council's consideration is a resolution approving the final plat of the Shoultz Acres Subdivision. A request has been filed for a combined preliminary/final plat for a one lot subdivision in unincorporated Muscatine County at 2620 Stewart Road. The proposed subdivision falls within the two mile limit which requires the city's review and approval. The proposed subdivision would create a new 4.53 acre lot for the purpose of constructing a new home site.

Is there a motion to adopt the resolution as submitted?

I. 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 rental inspection fees to private properties. The fee being requested for assessment at this time totals \$14,596.56.

Is there a motion to adopt the resolution as submitted?

J. Request to Approve Submission of Fiscal Year 2015/2016 Annual Financial Report to the State of Iowa

Presented for City Council's consideration is a request to approve the submission of the Fiscal Year 2015/2016 Annual Financial Report to the State of Iowa. This report includes all budgeted funds of the city and was prepared on a budget basis. Revenues and other financing sources totaled \$67,156,981 for the year and expenditures and other uses totaled \$63,741,605. Actual city expenditures in each functional area were within the budgeted amounts as required by the state with the exception of debt service expenditures. Debt service costs exceeded the budgeted amount by \$16,355 due to bond issuance costs for refunding the last years of the 2008 issue.

Is there a motion to approve the request as submitted?

K. Request to Approve Application Form as Proposed by the Nominating Committee for Appointments to the City's Various Boards and Commissions

Presented for City Council's consideration is a request to approve the application form as proposed by the Nominating Committee for appointments to the city's various boards and commissions.

Is there a motion to approve the request as submitted?

- L. Request to Approve Grant Agreement with the Iowa Department of Transportation for the T-Hangar Design and Apron Expansion Project at the Municipal Airport

Presented for City Council's consideration is a request to approve a grant agreement with the Iowa Department of Transportation for the T-Hangar Design and Apron Expansion Project at the Municipal Airport. The city was notified that the IDOT has approved the application for this project. The grant agreement will allow the city to design all phases of the project and construct the first phase of the t-hangar apron with a total state funding allocation of \$212,474. The local match totals \$37,500 for a total project cost of \$249,974.

Is there a motion to approve the request as submitted?

- M. Request to Approve Contract Modification #4 for the Community Development Block Grant Façade Renovation Project

Presented for City Council's consideration is a request to approve Contract Modification #4 for the Community Development Block Grant Façade Renovation Project. This contract modification involves stucco repair at 107 Iowa Avenue in the amount of \$6,952. Grant funds will be used to complete this additional work.

Is there a motion to approve the request as submitted?

- N. Request to Approve Quiet Zone Funding Agreement

Presented for City Council's consideration is a request to approve a Quiet Zone Funding Agreement. On July 14, 2016 the City Council approved a Funding Agreement with the Stanley Howe Revocable Trust to pay for a Quiet Zone study by a qualified consultant. Ahead of the study's completion, the Howe Foundation has agreed to pay for any safety equipment and its installation if the study supports the need for a Quiet Zone. This new Funding Agreement is in addition to the funding of the study already underway.

Is there a motion to approve the request as submitted?

- O. Request from Police Department to Declare Squad Light Bars as Surplus Property

Presented for City Council's consideration is a request from the Police Department to declare squad light bars as surplus property. The department has three light bars that are no longer needed. If the light bars are declared as surplus property, it is the department's intention to sell two of the light bars to another government agency with the third to be purchased by the Letts Volunteer Fire Department.

Is there a motion to approve the request as submitted?

- P. Request to Change Alley Located Next to 1420 Park Avenue from a One-Way to a

Two-Way Alley

Presented for City Council's consideration is a request to change the alley located next to 1420 Park Avenue from a one-way to a two-way alley. Currently the building is vacant and the property owner does not intend to remove snow from the parking lot this winter. The owner of the property would like to allow vehicles to exit to the north to prevent them from having to access the parking lot to exit onto Park Avenue.

Is there a motion to approve the request as submitted?

Q. Request to Eliminate Parking on the North and South Sides of Sunset Drive Near Intersection of Sunrise Circle

Presented for City Council's consideration is a request to eliminate parking on the north and south sides of Sunset Drive near the intersection of Sunrise Circle. The Traffic Committee has determined that in order to provide for suitable sightlines and driver safety, parking should not be allowed on the north and south sides of Sunset Drive from the intersection with Sunrise Circle to a point approximately 195' west. Affected residents have been notified of this proposed change.

Is there a motion to approve the request as submitted?

R. Muscatine County Sanitary Landfill Consent Order/Project Status Update

At this time an update will be provided summarizing the status of activities associated with the Administrative Consent Order and other landfill projects currently in progress.

12. **COMMUNICATIONS - RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$4,405,815.46, which includes journal entries and receipt summaries of July and August 2016, 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 Section 21.5.1.c to (a) 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 and per Iowa Code Section 622.10 to (b) discuss attorney/client privileged and attorney work product matters with legal counsel.

16. ADJOURNMENT