

COUNCIL



AGENDA

**THURSDAY, JANUARY 5, 2017
COUNCIL CHAMBERS - CITY HALL – 7:00 P.M.**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COMMUNICATIONS – CITIZENS**
 - A. Leadership Muscatine Presentation
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 - Approval of City Council Minutes**

- A. Regular City Council Minutes – December 15, 2016

*** Items 12A-C – Receive and File**

- A. Muscatine County Board of Supervisors Minutes – December 12, 2016
- B. Board of Water, Electric, and Communications Trustees Minutes – November 29, 2016
- C. Nominating Committee Minutes – November 17, 2016

*** Bills***

- * Approval of attached Bills for Approval totaling \$2,469,546.68 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. Final Reading of an Ordinance Correcting Scrivener’s Errors in Ordinance Nos. 93109-0715 and 93568-0816

Presented for City Council’s consideration is the final reading of an ordinance correcting scrivener’s errors in Ordinance Nos. 93109-0715 and 93568-0816. Errors were made in the preparation of the abovementioned ordinances. This ordinance will correct those errors.

Is there a motion to adopt the ordinance on final reading as submitted and to direct for its publication as required by law?

- B. Second reading of an Ordinance Correcting Scrivener’s Errors, Typographical Errors, and/or Omissions in City Code Sections Title 4, Chapter 4, Title 7, Chapter 5, Title 7, Chapter 9, Title 9, Chapter 4, Title 13, Chapter 5, and Title 15, Chapter 2

Presented for City Council’s consideration is the second reading of an ordinance correcting scrivener’s errors, typographical errors, and/or omissions in City Code Sections Title 4, Chapter 4, Title 7, Chapter 5, Title 7, Chapter 9, Title 9, Chapter 4, Title 13, Chapter 5, and Title 15, Chapter 2. Errors and omissions were made in the

preparation of Ordinance No. 93081-0615 codifying and amending the Muscatine Code of Ordinances. This ordinance will correct those errors.

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

C. Resolution Setting Public Hearing on the Kent Stein Park to Deep Lakes Park Trail Project

Presented for City Council's consideration is a resolution setting a public hearing on the Kent Stein Park to Deep Lakes Park Trail Project. This new trail has been reviewed by the Iowa Department of Transportation and submitted to the IDOT Office of Contracts and is on schedule for a March 21, 2017 bid letting. Federal funds available for this project are \$459,636 with an additional \$381,100 in State Recreational Trails funding for a total grant funding amount of \$840,736. The city will pay for a portion of the project (approximately \$400,000) with funds from the spring 2018 bond issue. The estimated contract cost for the project is \$1.3 million. Prior to any formal action by City Council, a public hearing is required. This public hearing will take place on Thursday, January 19, 2017, at 7:00 p.m.

Is there a motion to adopt the resolution as submitted?

D. Request to Approve Cost Share Agreement with Canadian Pacific (CP Rail)

Presented for City Council's consideration is a request to approve a Cost Share Agreement with Canadian Pacific (CP Rail). This agreement pertains to the impacts on Mississippi Drive and the riverfront stemming from CP Rail raising their tracks without notification to the city in 2014. CP Rail will be paying the City of Muscatine \$4 million over a two-year period.

Is there a motion to approve the request as submitted?

E. Request to Approve Agreement with CP Rail for Trail Crossing at Dick Drake Way

Presented for City Council's consideration is a request to approve an agreement with CP Rail for the trail crossing at Dick Drake Way. The design of the Musser to Wiggins Road Trail has a crossing of the CP Rail tracks at and parallel to Dick Drake Way. Due to the funding of this project, the Iowa Department of Transportation requires an additional agreement between the city and CP Rail for this crossing prior to letting the project for construction.

Is there a motion to approve the request as submitted?

F. Request to Approve Archaeological Investigations for the Mississippi Drive Corridor Project

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

investigations for the Mississippi Drive Corridor Project. The environmental consultant and city engineer are proposing these investigations be done in advance of project construction to eliminate the need for monitoring during construction. Staff is requesting City Council approve the expenditure of approximately \$27,240 to \$34,040 for these investigations prior to project construction scheduled for the spring of 2017.

Is there a motion to approve the request as submitted?

G. Request to Approve Letter of Understanding for Animal Control Between the Muscatine Police Department and Muscatine County Sheriff's Office

Presented for City Council's consideration is a request to approve a Letter of Understanding between the Muscatine Police Department and the Muscatine County Sheriff's Office. The services provided by the Animal Control Officer to the county are on an as needed basis.

Is there a motion to approve the request as submitted?

H. Request from the Police Department to Purchase Two Stalker Radar Units

Presented for City Council's consideration is a request from the Police Department to purchase two Stalker radar units. These two units will be replacements for two of the older units currently in service and will be placed in the new squads in the spring of 2017. Stalker is the sole vendor of these radar units. The total cost of the two units is \$5,732 and there is \$5,000 budgeted for this purchase.

Is there a motion to approve the request as submitted?

I. Request from Police Department for Purchase of Two Light Bars

Presented for City Council's consideration is a request from the Police Department for the purchase of two light bars. Three bids were received for this purchase with the low bid (state bid) from Keltek Inc. in the amount of \$5,381.14. The purchase of these two light bars is part of the fiscal year 2016/2017 budget.

Is there a motion to approve the request as submitted?

- J. Request to Approve Reappointment of Councilmember Phil Fitzgerald to the MAGIC Board and the Appointment of Amy Scott to the Transit Advisory Commission

Is there a motion to approve the reappointment of Councilmember Phil Fitzgerald to the MAGIC Board and the appointment of Amy Scott to the Transit Advisory Commission?

12. **COMMUNICATIONS - RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$2,469,546.68 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**