

# COUNCIL

Santos Saucedo At Large	Mayor	Scott Natvig At Large
Robert Bynum 4 <sup>th</sup> Ward		Phil Fitzgerald 1 <sup>st</sup> Ward
Allen Harvey 5 <sup>th</sup> Ward	<b>2017 MEETING SCHEDULE</b>	Michael Rehwaldt 2 <sup>nd</sup> Ward
Tom Spread 3 <sup>rd</sup> Ward	<b>(All meetings start at 7:00 PM unless voted upon by Council.)</b>	Fran Donelson Administrative Secretary
Matt Brick City Attorney	<b>Regular Meetings</b>	<b>In-depth Meetings</b>
January 5 & 19	July 6 & 20	January 12
February 2 & 16	August 3 & 17	February 9
March 2 & 16	September 7 & 21	March 9
April 6 & 20	October 5 & 19	April 13
May 4 & 18	November 2 & 16	May 11
June 1 & 15	December 7 & 21	June 8
		July 13 (None in August)
		September 14
		October 12
		November 9
		December 14

## AGENDA

**THURSDAY, JUNE 15, 2017**  
**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 – June 1, 2017
- B. In-Depth City Council Minutes – June 8, 2017

**\* Items 8A-F – Petitions and Communications**

- A. Request for an Outdoor Service Permit from July 5 – 7, 2017 for Hy-Vee Mainstreet, 510 East 6<sup>th</sup> Street – Hy-Vee Inc. (pending inspections)
- B. Request for an Expanded Outdoor Service Permit from July 1 – 5, 2017 for Missipi Brewing Co., 107 Iowa Avenue – R&D Operations (pending inspections)
- C. Request for an Outdoor Service Permit for June 17, 2017 and July 4, 2017 for Boonie's on the Avenue, 214 Iowa Avenue – Boonie's on the Avenue LLC (pending inspections)
- D. Request for renewal of a Class “C” Liquor License and Sunday Sales for Applebee's Neighborhood Grill & Bar, 306 Cleveland Street – Apple Corps LP (pending inspections)

**E. Cigarette Permits for July 1, 2017 to June 30, 2018**

- A & E Convenience LLC, 4701 South Highway 61 – A & E Convenience, LLC
- Bullpen Sports Bar, 1201 Grandview Avenue – Tracy Horton
- Casey's General Store #1484, 1111 Oregon Street – Casey's Marketing Company
- Casey's General Store #2906, 3509 Steamboat Way – Casey's Marketing Company
- Casey's General Store #2944, 3010 University Drive – Casey's Marketing Company
- Circle K #6600, 802 Cypress Street – Mac's Convenience Stores LLC
- Dollar General Store #7027, 2000 Cedar Plaza Drive – DolgenCorp, LLC
- Express Mart, 4804 S. Grandview Avenue – Aviya LLC
- Family Dollar Stores of Iowa #1820, 725 East 2<sup>nd</sup> Street – Family Dollar Stores of Iowa, Inc.
- Fareway Stores, Inc. #998, 2100 Cedar Plaza Drive – Fareway Stores, Inc.
- Fast Avenue One Stop, 2111 Park Avenue – BGA LLC
- GM Food Mart, 1814 E Avenue, Nanak Express LLC
- GM Mini Mart, 2307 Lucas Street – Nanak Express LLC
- Hubble's Tap, 214 East 2<sup>nd</sup> Street – Hubble's Glenda LLC
- Hy-Vee Food Store, 2400 Second Avenue – Hy-Vee, Inc.
- Hy-Vee Gas, 2600 Second Avenue – Hy-Vee, Inc.

- Hy-Vee Mainstreet, 510 E. 6<sup>th</sup> Street – Hy-Vee, Inc.
- Hy-Vee Wine & Spirits, 522 Mulberry Avenue, Suite A – Hy-Vee, Inc.
- Jayde's Vapor Lounge, 2110-B Park Avenue – Jayde Tran
- Kum & Go #436, 501 Cedar Street – Kum & Go LC
- Kum & Go #437, 709 Grandview Avenue – Kum & Go LC
- Kum & Go #438, 1429 Park Avenue – Kum & Go LC
- Loos' Inc., 711 Park Avenue – Loos Inc.
- Missipi Brewing Company, 107 Iowa Avenue – Dave Armstrong
- Muscatine Citgo Fast Break, 2603 Second Avenue – Reif Oil Company
- New York Dollar Store, 109 East 2<sup>nd</sup> Street – Antonio Sosa
- No More Butts Vapor Lounge, 108 East 2<sup>nd</sup> Street – Margaret Haller
- Pearl City Tobacco and Liquor Outlet, 200 Green Street, BGA LLC
- Smokin Joe's #16, 1504 Park Avenue – The Outlet Inc.
- Switch2Vapor, 227 East 2<sup>nd</sup> Street – Matt McFadden
- Wal-Mart Supercenter #559, 3003 N. Highway 61 – Wal-Mart Stores, Inc.
- Walgreens #5885, 1703 Park Avenue – Walgreen Co.
- West Side Store, 2201 Houser Street – DJMB Enterprises Inc.

F. Request from Hy-Vee Mainstreet for Use of City Property for Holiday Sales Event for July 4, 2017.

\* **Item 11 – From the City Administrator**

A. Appointments and Reappointments to the City's Boards and Commissions

\* **Item 12A-B – Receive and File**

A. Muscatine County Board of Supervisors Minutes – May 22, 2017 and June 1, 2017

B. Planning & Zoning Commission – May 25, 2017

\* **Bills\***

\* Approval of attached Bills for Approval totaling \$1,997,462.46 is subject to the approval of any related agenda item(s).

**6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

**A. Proposed 2017 Asphalt Overlay Project**

This public hearing concerns the proposed 2017 Asphalt Overlay Project. The Public Works Department has compiled a list of streets to be milled and overlaid with new asphalt during fiscal year 2017/2018. 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 PRO TEM**

**10. FROM THE PLANNING AND ZONING COMMISSION**

**11. FROM THE CITY ADMINISTRATOR**

**A. Resolution Approving the Plans and Specifications, Form of Contract, Cost Estimate, and Setting the Bid Opening Date for the 2017 Asphalt Overlay Project**

Is there a motion to adopt the resolution as submitted?

**B. Request to Approve Change Order #4 for the Muscatine Art Center HVAC Replacement and Windows Improvement Project**

Presented for City Council's consideration is a request to approve Change Order #4 for the Muscatine Art Center HVAC Replacement and Windows Improvement Project. Three areas of concrete at the Muscatine Art Center were damaged during the course of the project. Crawford Company has agreed to provide a decrease of \$13,425 on the final project amount as compensation for the damage.

Is there a motion to approve the request as submitted?

**C. Resolution Accepting Completed Work Performed Under the Muscatine Art Center HVAC Replacement and Windows Replacement Project and Authorizing Final Payment to Contractor**

Presented for City Council's consideration is a resolution accepting completed work performed under the Muscatine Art Center HVAC Replacement and Windows Replacement Project and authorizing final payment to the contractor. The initial contract amount was \$1,590,520. There were four change orders totaling \$189,894.45 bringing the final contract amount to \$1,780,414.45. Staff is recommending City Council accept the completed work for the project and authorize final payment to

Crawford Company.

Is there a motion to adopt the resolution as submitted?

**D. Resolution Authorizing 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 unpaid rental inspection fees to private properties. The nuisance abatement costs for snow, junk, and weed removal total \$2,430.20 and rental inspection fees total \$900.00. The administrative fees are \$775 and the assessment fees are \$1,100.00. The total fee being requested for assessment at this time totals \$5,205.20.

Is there a motion to adopt the resolution as submitted?

**E. Resolution Approving Final Plat for the J&J Subdivision**

Presented for City Council's consideration is a resolution approving the final plat for the J&J Subdivision. This 23.61 acre one lot subdivision is located in the 2600 block of Crimson Avenue and falls within the two-mile limit requiring City Council's approval. The proposed subdivision will facilitate the sale of farm ground by giving the proposed lot frontage on a public street.

Is there a motion to adopt the resolution as submitted?

**F. Resolution Approving Final Plat for River Valley Tank Subdivision**

Presented for City Council's consideration is a resolution approving the final plat for the River Valley Tank Subdivision. This .36 acre one lot subdivision is located in unincorporated Muscatine County but falls with the two-mile limit requiring City Council approval. The proposed subdivision would create a new .36-acre lot with the purpose of splitting off the LP tank from the remaining farm land.

Is there a motion to adopt the resolution as submitted?

**G. Resolution Authorizing an Application to the Department of Transportation for Federal Transit Competitive Funding Through the Low or No Emission Grant Program**

Presented for City Council's consideration is a resolution authorizing an application to the Department of Transportation for federal transit funding through the Low or No Emission Grant Program. A presentation on this grant funding opportunity was made at the June 8, 2017 In-Depth meeting. If approved the grant funding, in addition to the local match, would provide for six CNG buses, CNG slow fill station, maintenance

facility upgrades, and workforce training.

Is there a motion to adopt the resolution as submitted?

**H. Resolution Seeking Support and Authorization to Pursue USDOT Maritime Highway Administration Grant**

Presented for City Council's consideration is a resolution seeking support and authorization to pursue a USDOT Maritime Highway Administration Grant. Staff is requesting City Council adopt this resolution for a MARAD Project Planning Grant for the design, engineering, and permitting for an intermodal container port on the Mississippi River on the city's southern border. The grant request is for \$200,000 in federal funds and is contingent upon the city raising \$50,000 in private funding.

Is there a motion to adopt the resolution as submitted?

**I. Request to Approve Solid Waste and Leachate Hauling Contract**

Presented for City Council's consideration is a request to approve a solid waste and leachate hauling contract. The current contract expires on June 30, 2017. One bid was received from JJJ Hauling/Brauns Excavating with a proposed price of \$140 per load for solid waste hauling from the Transfer Station to the Landfill and \$170 per load for leachate hauling from the Landfill to the Water Pollution Control Plant. Staff is recommending the approval of the contract which will be effective July 1, 2017 through June 30, 2022.

Is there a motion to approve the request as submitted?

**J. Request Approval to Eliminate Parking on the North and South Side of Sunset Drive from the Intersection of Sunrise Circle to a point 195' West**

Presented for City Council's consideration is a request to approve the elimination of parking on the north and south side of Sunset Drive from the intersection of Sunrise Circle to a point 195' west. Based on the information received from the residents in that area and the Traffic Committee's investigation of the matter, staff is requesting City Council take action to remove the parking on Sunset Drive as recommended by the Traffic Committee.

Is there a motion to approve the request as submitted?

**K. Request to Authorize Issuance of Purchase Order for 2017 Paint Striping Project**

Presented for City Council's consideration is a request to authorize the issuance of a purchase order for the 2017 Paint Striping Project. Two bids were received for this project with only one meeting the city's specifications. Staff is recommending City Council authorize the issuance of a purchase order to Weikert Contracting of Ackley, Iowa, in the amount of \$60,623.07. There is \$60,000 budgeted for this project.

Is there a motion to approve the request as submitted?

**L. Request to Approve City of Muscatine's Insurance Renewal for Fiscal Year 2017/2018**

Presented for City Council's consideration is a request to approve the City of Muscatine's Insurance Renewal for fiscal year 2017/2018. The primary package lines of coverage will be renewed with ICAP. There are no recommended changes to the city's coverage, and the ICAP lines of coverage are within the budgeted amounts. The Insurance Committee is recommending the renewal of workers' compensation coverage with Iowa Municipalities Workers' Compensation Association (IMWCA). Because of a decrease in the experience modification rate, the premium for this coverage has been reduced by approximately \$37,000. Staff is requesting City Council authorize AJG bind the insurance coverage as outlined in the attached executive summary.

Is there a motion to approve the request as submitted?

**M. Request to Reapprove the Title VI Non-Discrimination Agreement with the Iowa Department of Transportation and the USDOT Non-Discrimination Assurances**

Presented for City Council's consideration is a request to reapprove the Title VI Non-Discrimination Agreement between the City of Muscatine and the Iowa Department of Transportation and the Non-Discrimination Assurances. These documents are required as part of the process for receiving federal and state funding for various IDOT projects. The policy was approved at the April 6, 2017 meeting; however, due to the removal of Mayor Broderson, the document is being changed to allow for signature by the City Administrator.

Is there a motion to approve the request as submitted?

**N. Request to Approve Asbestos Abatement Change Orders #1 and #2 and Amendment to IDNR Agreement**

Presented for City Council's consideration is a request to approve Asbestos Abatement Change Orders #1 and #2 and the amendment to the IDNR Agreement. The city has recently discovered that the Asbestos Containing Material (ACM) has

been abated inside the TeStrake buildings; however, the roofing is unsafe and needs to be removed by a certified asbestos operator. Change Order #1 will provide for a deduction of \$3,500; however, Change Order #2 will require an increase of \$27,300 for adjusting the scope of the work to include safe removal and disposal of the roof. Staff has negotiated a completion date with the contractor of June 30, 2017. Staff is requesting that City Council approve the change orders to the contract with Advanced Environmental Services and the amendment to the IDNR Agreement for final removal of asbestos at the TeStrake property.

Is there a motion to approve the request as submitted?

**O. Request to Approve Roundabout as Preferred Alternative for 2<sup>nd</sup> Street and Mulberry Avenue Intersection**

Presented for City Council's consideration is a request to approve a roundabout as the preferred alternative for the 2<sup>nd</sup> Street and Mulberry Avenue intersection. The current design of the Mississippi Drive Corridor Project is under construction. The design consultant recommends a roundabout intersection at this location due to superior performance in level of service during daily peak traffic and during special events downtown that generate a lot of traffic into and out of the downtown area. Staff is requesting City Council take action to approve the roundabout intersection as the preferred alternative for this intersection.

Is there a motion to approve the request as submitted?

**P. Request from Canadian Pacific Railroad for Closure of Dick Drake Way**

Presented for City Council's consideration is a request from the Canadian Pacific Railroad for the closure of Dick Drake Way. The railroad crossing on Dick Drake Way has been in need of maintenance for many years. The railroad has requested this closure begin June 26, 2017 to allow for maintenance of the crossing. The closing will be for approximately one week.

Is there a motion to approve the request as submitted?

**Q. Discussion on Mayoral Vacancy and Potential Action**

**12. COMMUNICATIONS - RECEIVE AND FILE**

**13. APPROVAL OF BILLS**

It is recommended bills totaling \$1,997,462.46 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**