

# COUNCIL

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

## AGENDA

**THURSDAY, JULY 6, 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.

**\* Item 6A - Approval of City Council Minutes**

A. Regular City Council Minutes – June 15, 2017

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

A. Request for renewal of a Special Class “C” Liquor License and Outdoor Sales for Yacky Shack, 163 Colorado Street – Yacky Shack LLC (pending inspections)

B. Request for renewal of a Class “C” Liquor License and Sunday Sales for Hy-Vee Market Café, 2400 Second Avenue – Hy-Vee, Inc. (pending inspections)

C. Request for Catering Privilege for Pete’s Tap, 1820 Angle Street – Oscars LLC (pending inspections)

D. Request for Transfer of License for Creation by Oz, 215 East 2<sup>nd</sup> Street (pending inspections)

E. Request for renewal of a Special Class “C” Liquor License and Sunday Sales for Dabeets Bistro, 128 East 2<sup>nd</sup> Street – Dabeets Bistro, LLC (pending inspections and insurance)

F. Request for Use of City Property for Muscatine Running Club Race for August 19, 2017

G. Request to Approve Application for Revitalization Property Tax Abatement for John F. and Katherine S. Witte

**\* Item 12A-C – Receive and File**

A. Muscatine County Board of Supervisors Minutes – June 5 & 12, 2017

B. Nominating Committee Minutes – April 21, 2017

C. Board of Water, Electric, and Communications Trustees Minutes – May 30, 2017

**\* Bills\***

\* Approval of attached Bills for Approval totaling \$3,433,823.71 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. Resolution Rescinding Resolution No. 93879-0617 and Adopting the Revised Resolution Accepting Completed Work Performed Under the West Hill Sewer Separation Project Phase 3A

Presented for City Council's consideration is a resolution rescinding Resolution No. 93879-0617 and adopting the revised resolution accepting completed work performed under the West Hill Sewer Separation Project Phase 3A. At the June 1, 2017 City Council meeting two resolutions were adopted accepting completed work on Phases 3A and 3B for the West Hill Sewer Separation Project. Those resolutions did not reflect the final total contract costs and also did not detail the amounts of the liquidated damages on these phases of the contract. Staff is requesting City Council adopt the two revised resolutions for this project.

Is there a motion to adopt the resolution as submitted?

- B. Resolution Rescinding Resolution No. 93880-0617 and Adopting the Revised Resolution Accepting Completed Work Performed Under the West Hill Sewer Separation Project Phase 3B

Is there a motion to adopt the resolution as submitted?

- C. Resolution Awarding Contract for the Landfill Cell 5 and Leachate Lagoon Construction

Presented for City Council's consideration is a resolution awarding the contract for the Landfill Cell 5 and Leachate Lagoon Construction Project. Two bids were received with the low bid from Rittmer Inc. with a total package bid of \$622,608. There is \$550,000 budgeted for this project in the landfill budget and \$200,000 in the remediation plan budget which will cover the cost of the leachate lagoon construction.

Is there a motion to adopt the resolution as submitted?

D. Resolution Awarding Contract for the 2017 Cleveland Avenue Reconstruction Project

Presented for City Council's consideration is a resolution awarding the contract for the 2017 Cleveland Avenue Reconstruction Project. Three bids were received with the lowest responsible bid received from All American Concrete in the amount of \$403,889.10. The estimated cost for the project was \$360,000 to \$410,000.

Is there a motion to adopt the resolution as submitted?

E. Resolution Awarding Contract for the 2017 Asphalt Overlay Project

Presented for City Council's consideration is a resolution awarding the contract for the 2017 Asphalt Overlay Project. The only bid received was from Illowa Investments Inc. in the amount of \$519,250.10. The estimate for this project was \$650,000.

Is there a motion to adopt the resolution as submitted?

F. Resolution Declaring Certain Real Estate Owned by the City as Surplus and Authorizing Its Sale

Presented for City Council's consideration is a resolution declaring certain real estate owned by the city as surplus and authorizing its sale. The City Council accepted the properties by motion at its May 4, 2017 City Council meeting. It is now necessary for City Council to adopt the resolution declaring the deeded properties as surplus.

Is there a motion to adopt the resolution as submitted?

G. Resolution Authorizing Submission of an Application to the Iowa Department of Economic Development for Community Attraction & Tourism Program Funding for the Pearls of Progress Project

Presented for City Council's consideration is a resolution authorizing the submission of an application to the Iowa Department of Economic Development for Community Attraction & Tourism (CAT) Program Funding for the Pearls of Progress Project. The Community Improvement Action Team (CIAT) has determined the City of Muscatine should not let this opportunity pass to fund needed improvements to the quality of life for the city. The deadline for submission of the application is July 14, 2017. This may be the final opportunity for communities to apply for CAT grants.

Is there a motion to adopt the resolution as submitted?

H. Request from Public Works for the Issuance of a Purchase Order for a 2017 60,000 GVW Truck

Presented for City Council's consideration is a request from Public Works for the issuance of a purchase order for a 2017 60,000 GVW Truck. Three bids were received for this purchase. The low bid did not meet the city's specifications. Staff is recommending that the next low bid from Truck Country of Davenport, Iowa, in the amount of \$103,438 be approved. The budgeted amount for this purchase is \$110,000. Staff is requesting City Council take action to approve the issuance of a purchase order for this purchase.

Is there a motion to approve the request as submitted?

I. Request from Public Works for the Issuance of a Purchase Order for a Dump Body and Hydraulic Hoist for 60,000 GVW Truck

Presented for City Council's consideration is a request from Public Works for the issuance of a purchase order for a dump body and hydraulic hoist for a 60,000 GVW Truck. Four bids were received for this purchase. The low bid did not meet the city's specifications. Staff is requesting approval of the next low bid from Henderson Manufacturing of Manchester, Iowa, in the amount of \$42,410. There is \$40,000 budgeted for this purchase. Staff is requesting City Council take action to approve the issuance of a purchase order for this purchase.

Is there a motion to approve the request as submitted?

J. Request from Public Works for the Issuance of a Purchase Order for a Dump Body and Hydraulic Hoist for a 33,000 GVW Truck

Presented for City Council's consideration is a request from Public Works for the issuance of a purchase order for a dump body and hydraulic hoist for a 33,000 GVW Truck. Four bids were received with the low bid from Henderson Manufacturing of Manchester, Iowa, in the amount of \$30,481. There is \$40,000 budgeted for this purchase. Staff is requesting City Council take action to approve the issuance of a purchase order for this purchase.

Is there a motion to approve the request as submitted?

K. Request from Public Works for the Issuance of a Purchase Order for Pavement Crushing

Presented for City Council's consideration is a request from Public Works for the issuance of a purchase order for pavement crushing. Three bids were received with the low bid from Bushman Excavating of Fairfax, Iowa, in the amount of \$75,200. The estimate for this work was \$75,000. Staff is requesting City Council take action to approve the issuance of a purchase order for the pavement crushing.

Is there a motion to approve the request as submitted?

L. Request to Approve Issuance of Purchase Order for Demolition of Puritan Ice Building, TeStrake Silos, and TeStrake Building

Presented for City Council's consideration is a request approve the issuance of a purchase order for demolition of the Puritan Ice building, TeStrake silos, and TeStrake building. Proposals for the demolition were received on June 30, 2017 and were evaluated by staff. Staff is requesting City Council approve the proposal from Sulzberger Excavating in the amount of \$49,800 and authorize the issuance of a purchase order for the demolition of these buildings.

Is there a motion to approve the request as submitted?

M. Request to Approve Order Accepting Acknowledgement/Settlement Agreement – First Violation for Tobacco Violation – Hy-Vee Inc. d/b/a Hy-Vee Gas

Presented for City Council's consideration is a request to approve an Order Accepting Acknowledgement/Settlement Agreement - First Violation for Tobacco Violation – Hy-Vee Inc. d/b/a as Hy-Vee Gas. The city finds that the permit holder acknowledged in the Agreement that a first violation of Iowa Code Section 453A.2 occurred on March 1, 2017 and that the mandatory fine for this violation is a \$300 civil penalty. The permit holder has submitted a check to the City of Muscatine for this amount.

Is there a motion to approve the request as submitted?

N. Request to Approve Order Accepting Acknowledgement/Settlement Agreement – Third Violation for Tobacco Violation – Kum & Go LC d/b/a Kum & Go #436

Presented for City Council's consideration is a request to approve an Order Accepting Acknowledgement/Settlement Agreement – Third Violation for Tobacco Violation – Kum & Go LC d/b/a Kum & Go #436. The city finds that the permit holder acknowledged in the Agreement that a third violation of Iowa Code Section 453A.2 occurred on March 1, 2017 and that the mandatory fine for this violation is a \$1,500 civil penalty. Because it is a third violation, the permit will be suspended for 30 days. The permit holder has submitted a check to the City of Muscatine for this

amount.

Is there a motion to approve the request as submitted?

12. **COMMUNICATIONS - RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$3,433,823.71 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 21.5.1.j Concerning Property Acquisition

16. **ADJOURNMENT**