

COUNCIL



AGENDA

THURSDAY, FEBRUARY 1, 2018
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 – January 18, 2018
- B. Budget Review Minutes – January 25, January 27 and January 29, 2018

* **Items 8A-E – Petitions and Communications**

- A. Request on second reading for a new Class “B” Liquor License, Outdoor Service, and Sunday Sales for the Merrill Hotel and Conference Center, 119 Mississippi Drive - Riverview Hotel Development, LLC. (pending inspection and insurance)
- B. Request on second reading for a new Class “B” Wine Permit, Class “C” Beer Permit, and Sunday Sales for Dollar General Store #19625, 807 Grandview Avenue – Dolgencorp LLC. (pending inspections)
- C. Request for renewal of Class “B” Wine Permit, Class “C” Beer Permit and Class “E” Liquor License for Fareway Stores, Inc. #998, 2100 Cedar Plaza Drive - Fareway Stores, Inc. (pending inspections)
- D. Request for use of City Property from Daphne Donald, Muscatine Community Schools for a 5K on May 5, 2018.

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

- Dollar General Store # 19625, 807 Grandview Avenue – Dolgencorp.

* **Items 12A-B Receive and File**

- A. Muscatine County Board of Supervisors Minutes – January 15, 2018, January 16, 2018, January 18, 2018 and January 22, 2018.
- B. City of Muscatine Financial Reports – December 2017

* **Bills***

- * Approval of attached Bills for Approval totaling \$1,441,143.52 is subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

- A. Proposed Amendment to Title 10, Chapter 20; and Title 10, Chapter 31, Section 1 of the City Code, Home Occupation Regulations.

This public hearing concerns the proposed amendment to the Zoning Ordinance for home-based businesses. Rewriting this portion of the City Code would regulate Home Occupations allowing them to be more beneficial to the community and limiting others that have proven irritating to residents and have generated complaints. Prior to any formal action by City Council, a public hearing is required.

Now is the time for the public to comment.

B. Plans, Specifications, Form of Contract and Cost Estimate for the Proposed West Hill Sewer Separation – Phase 4 Project.

This Public Hearing has been Postponed Until February 15th, 2018.

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 Amending Zoning Ordinance for Home Occupation Regulations

Is there a motion to adopt the Ordinance on final reading?

B. Third and Final Reading of on Ordinance Amending Various Provisions of the City Code

Presented for City Council's consideration is the third and final reading of an ordinance amending various provisions of the City Code of Muscatine to remove the possibility of imprisonment for city code violations. On April 21, 2017, the Iowa Legislature passed SF374 making cities responsible for defendant's court appointed attorney fees for city code violations that carry the possibility of imprisonment. It is recommended that to avoid these charges, the possibility of imprisonment be removed on all city code violations.

Is there a motion to adopt the Ordinance on third and final reading?

C. Resolution Accepting Completion of Cleveland Street 2017 Project and Authorizing Final Payment

Presented for City Council's consideration is a resolution accepting the completion of the Cleveland Street 2017 project. The Construction has been completed and the punch list items identified, have been satisfactorily addressed by the contractor. The city has completed final inspection and the project is ready to start the close out process. This action will start the 30-day waiting period before the retainage can be released to the contractor, and will also start the warranty period for the project.

Is there a motion to adopt the resolution as submitted?

D. Resolution Accepting Completion of Mulberry Avenue Construction Project and Authorizing Final Payment

Presented for City Council's consideration is a resolution accepting the completion of the Mulberry Avenue Construction Project. The Construction has been completed and the punch list items identified, have been satisfactorily addressed by the contractor. The only item outstanding is the grass and this will be determined in the spring. The city has completed final inspection and the project is ready to start the close out process. This action will start the 30-day waiting period before the retainage can be released to the contractor, and will also start the warranty period for the project.

Is there a motion to adopt the resolution as submitted?

E. Resolution Setting Public Hearing for Housing 2019 Annual Plan

Presented for City Council's consideration is a resolution setting public hearing concerning the 2019 Annual Housing Plan. Per regulation a public comment period including a public hearing is required prior to adoption of the Annual Plan and Policy Amendments.

Is there a motion to adopt the resolution as submitted?

F. Resolution Setting Public Hearing for Sale of Real Estate

Presented for City Council's consideration is a resolution setting public hearing concerning the sale of real estate described as: the easterly 30.6 feet of Lot 47 of Terrace Heights addition to the City of Muscatine, Iowa. This property was declared surplus property by City Council on January 18, 2018. A public hearing is required to be held before the sale of said real estate.

Is there a motion to adopt the resolution as submitted?

G. Resolution Setting Public Hearing for Proposed West Hill Area Sanitary and Storm Sewer Separation – Phase 4.

Presented for City Council's consideration is a resolution setting public hearing concerning the Proposed West Hill Area Sanitary and Storm Sewer Separation – Phase 4 plans, specifications, forms of contract, and cost estimates. This Separation is mandated by the EPA.

Is there a motion to adopt the resolution as submitted?

H. Request to Approve Law Enforcement and Emergency Service Agreement Between the City of Muscatine, Iowa and the City of Fruitland, Iowa

Presented for City Council's consideration is a request to approve a Law Enforcement and Emergency Service Agreement between the City of Muscatine and the City of Fruitland, Iowa. This agreement provides law enforcement and emergency services conducted by the Muscatine Police Department within the corporate city limits of the City of Fruitland from July 1, 2018 through June 30, 2021.

Is there a motion to approve this request as submitted?

I. Request to Approve Interagency Agreement Between Iowa Department of Inspections and Appeals and Muscatine Municipal Housing Agency

Presented for City Council's consideration is a request to approve the renewal of an interagency agreement between Iowa Department of Inspections and Appeals (DIA) and Muscatine Municipal Housing Agency. The DIA provides investigation for potential cases of fraud by the Public Housing and Section 8 Housing Choice Voucher programs.

Is there a motion to approve this request as submitted?

J. Request to Approve Purchase of Property Adjacent to Sewer Separation Ravine Fill Area

Presented for City Council's consideration is a request to approve the purchase of property adjacent to the Sewer Separation Ravine Fill Area. Acquisition of this property would improve the final grading being done in the ravine, allow the city to fix an old erosion problem on alley seven and would enhance the property that will be available for resale at the end of the project. The property owner has agreed to sell said property for \$500.00 plus closing costs.

Is there a motion to approve this request as submitted?

K. Request to Approve Biogas Production Study Proposal from Iowa State University.

Presented for City Council's consideration is a request to approve a Biogas Production Study proposal from Iowa State University in the amount of \$21, 334.00. The cost of this project would be split equally between the Center for Industrial Research and Services and the Water Pollution Control Plant. This study would test waste food from several resources to determine the best feedstock for the digesters and determine the amount of biogas that can be anticipated.

Is there a motion to approve this request as submitted?

L. Request to Approve Purchase of RFID Self-Check & Security Gates for Library and Opening Day collection for Library

Presented for City Council's consideration is a request to approve purchase of RFID self-checks, security gates, software, installation and training. By using self-check kiosks, the library will eliminate the need to hire additional circulation staff to handle the increased library usage when opening the new library. The total cost of this equipment is \$63,185.72 which included the first year of maintenance. Also presented is the request to purchase the opening day collection for the library. Total cost for this is \$100,000.

Is there a motion to approve this request as submitted?

M. Discussion and Potential Action on Enforcement of City Council Rules

12. **COMMUNICATIONS - RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$1,441,143.52 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**