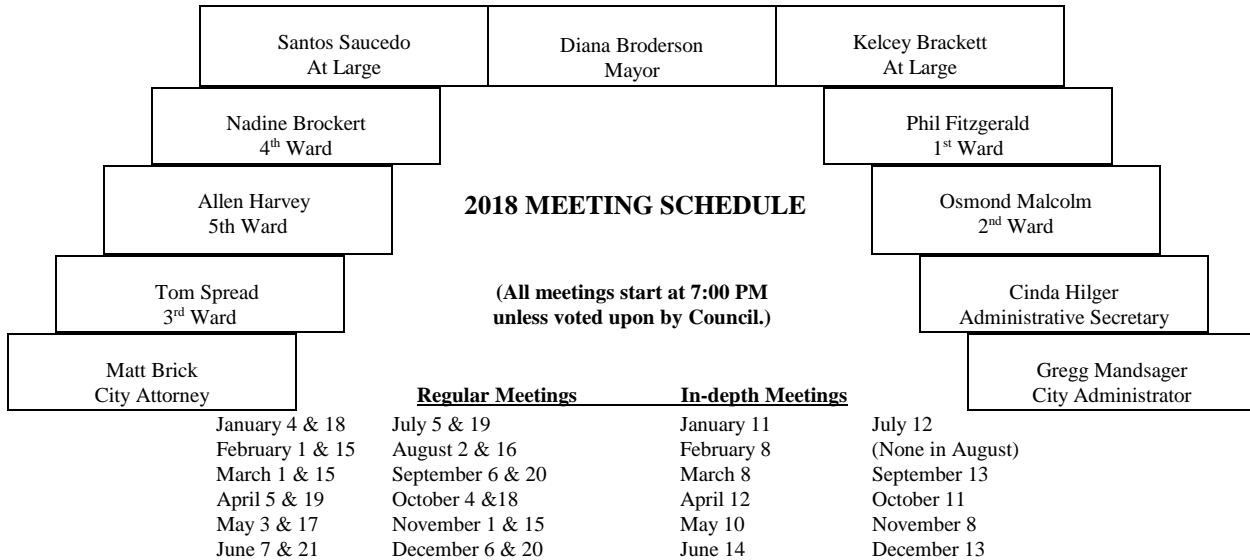


# COUNCIL



## AGENDA

### **THURSDAY, JULY 5, 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 – June 21, 2018

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

- A. Request for renewal of a Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Super Saver Liquor of Muscatine, 1510-A Isett Avenue – Super Savor of Muscatine (pending inspections)
- B. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Pearl City Tobacco & Liquor Outlet, 200 Green Street – BGA, LLC (pending inspections)
- C. Request for Use of City Property from Wesley United Methodist Church for Back to School for Neighborhood Carnival on August 15, 2018
- D. Request for Use of City Property from Muscatine Running Club for the Watermelon Stampede road race on August 18, 2018
- E. Request for Use of City Property from MHS Boys Cross Country 5K race on September 3, 2018
- F. Request from Broader’s Excavation to close Woodlawn Avenue between Orange St. and Orange St. to replace sewer line at 1601 Orange Street – July 8-July 11, 2018
- G. Cigarette/Tobacco Permits – Super Saver Liquor of Muscatine, 1510A Isett Avenue – Sonia A. Asad

\* **From the Mayor**

\* **Items 12A-F – Receive and File**

- A. Muscatine County Board of Supervisors Minutes – June 4, 2018
- B. Muscatine County Board of Supervisors Minutes – June 18, 2018
- C. Muscatine County Board of Supervisors Minutes – June 20, 2018
- D. Muscatine County Board of Supervisors Minutes – June 25, 2018
- E. Board of Water, Electric & Communications – May 29, 2018
- F. Planning and Zoning Commission Minutes – June 12, 2018

\* **Bills\***

- \* Approval of attached Bills for Approval totaling \$3,248,990.70, which includes journal entries and receipt summaries for May 2018, is subject to the approval of any related agenda item(s).

**6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

- A. Proposed Development Agreement with TIF Oak Park, Inc.

This public hearing concerns the approval of a Development Agreement and Tax Increment Payments for TIF Oak Park, Inc. The City proposes to enter into a

development agreement with TIF Oak Park, Inc. in connection with the construction of multifamily housing, in the Urban Renewal Area, that is affordable to seniors of low and moderate income. This agreement would provide financial incentives to the developer in the form of annual appropriation incremental property tax payments in an amount not to exceed \$497,445.

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. Ordinance Amending Title 3, Chapter 5, Section 9, Subsection D of City Code  
Allowing Dogs to be Off-Leash in Designated Areas

Presented for City Council's consideration is the third and final reading of an ordinance amending Title 3, Chapter 5, Section 9, Subsection D of the City Code. The current City Code states all dogs in city parks be kept on a leash no longer than six feet. With the opening of the new Dog Park this amendment allows for dogs to be let off-leash in the areas so designated by the Parks and Recreation Department such as the Dog Park.

Is there a motion to adopt this Ordinance as submitted, and to direct for its publication as required by law?

B. Ordinance Decreasing Utility Franchise Fee

Presented for City Council's consideration is the second reading of an ordinance decreasing the Utility Franchise Fee Rate from 5% to 2%. The Fiscal Year Budget for 2018/2019 included an increase in Utility Franchise Fees to cover the City's loss of revenue from the University Avenue and Highway 61 ATE Camera. The Iowa court recently ruled in favor of the City's appeal of the IDOT order for removal of this camera. Based on City Council discussion at the In-Depth meeting, it is now proposed that the franchise fee be reduced from 5% to 2%.

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

C. Ordinance Establishing Sewer Rates and Collection and Drainage Fee Rates

Presented for City Council's consideration is the second and final reading of an ordinance to establish sewer and collection and drainage fee rates for fiscal years 2018/2019 through 2022/2023. A sewer rate study was presented to council at the

June In-Depth Meeting recommending that rates be increased over the next five years in order to maintain acceptable funding levels. The full rate study reports are now attached with the backup for this item.

Is there a motion to waive the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed?

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

**D. Ordinance Amending Title 13, Chapter 3, Section 11 of City Code Establishing Refuse Collection Rates.**

Presented for City Council's consideration is the second and final reading of an ordinance amending Title 13, Chapter 3, Section 11 for refuse collection fees. City Council approved the Fiscal Year 2018/2019 rate increase by resolution at the April 19, 2018 meeting. The City Attorney has advised that going forward all utility rate changes be done by ordinance. This ordinance incorporates the rate change effective July 1, 2018.

Is there a motion to waive the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed?

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

**E. Ordinance Establishing a Tax Increment Financing District (TIF Oak Park Development)**

Presented for City Council's consideration is the first reading of an ordinance providing for the division of taxes levied on taxable property in the 2018 addition to the Consolidated Muscatine urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa.

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

**F. Resolution Approving Development Agreement with TIF Oak Park, Inc.**

Presented for City Council's consideration is a Resolution approving a development agreement with TIF Oak Park, Inc., and authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement. This agreement is subject to the approval of the final Development Plan.

Is there a motion to adopt this resolution as submitted?

**G. Resolution to Set Public Hearing for Asphalt Alley Program**

Presented for City Council's consideration is a request to set a public hearing on July 19, 2018 at 7:00 p.m. in the City Hall Council Chambers, for the proposed Asphalt Alley Program. The Public Works department has compiled a list of alleys to be asphalt overlaid during Fiscal Year 2019. Prior to awarding bids, a public hearing is required.

Is there a motion to approve this resolution as submitted?

**H. Request to Declare Bronto Aerial as Surplus Property**

Presented for City Council's consideration is a request to declare the 1997 Bronto Aerial as surplus property, effective August 9, 2018, so it can be purchased by Washington Township in Indiana. The Fire Department has ordered a new Pierce 100' Aerial Platform that will replace the 1997 Bronto. The new aerial is scheduled to arrive on July 13<sup>th</sup>, 2018 and to be put into service on August 9<sup>th</sup>, 2018. The sale of the Bronto will be used to purchase two new vehicles.

Is there a motion to approve this request as submitted?

**I. Request to Approve Issuance of Purchase Order for Surface Pro Computers**

Presented for City Council's consideration is a request to approve the issuance of a purchase order for Surface Pro computers in the amount of \$5,999.63. These computers will be utilized by the Fire Department. This purchase was approved in the 2018/2019 budget in the amount of \$6,000.00.

Is there a motion to approve the request as submitted?

**J. Request to Approve Issuance of Purchase Order for Detective Vehicle**

Presented for City Council's consideration is a request to approve the issuance of a purchase order to Krieger's Motors in the amount of \$29,929.60, for the purchase of a Chevy Silverado to be used for the task force detective. Funding for this purchase was approved in the 2018/2019 budget. Only one bid was received for this purchase and that was from Krieger's Motors.

Is there a motion to approve this request as submitted?

**K. Request to Declare Former Musser Library Items as Surplus**

Presented for City Council's consideration is a request to declare items remaining at the old Musser Library as surplus in order to dispose of them in a public auction. All City departments have toured the grounds and removed any items that could be beneficial to their department.

Is there a motion to approve this request as submitted?

L. Discussion on 2017/2018 Sidewalk Program – Tanglefoot Lane Sidewalk

**12. COMMUNICATIONS - RECEIVE AND FILE**

**13. APPROVAL OF BILLS**

It is recommended bills totaling \$3,248,990.70, which includes journal entries and receipt summaries for May 2018, 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**