

# COUNCIL



## AGENDA

**THURSDAY, MAY 5, 2016**  
**COUNCIL CHAMBERS - CITY HALL – 7:00 P.M.**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COMMUNICATIONS – CITIZENS**
  - A. Sister Cities 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 – April 21, 2016

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

- A. Request on first reading for a Class “B” Beer Permit for La Morelia, 506 Mulberry Avenue – Julio Guzman (pending inspections and insurance)
- B. Request on first and second reading for a Class “C” Liquor License and Sunday Sales for Club Ink, 2402 Park Avenue – Troy Freyermuth (pending inspections and insurance)
- C. Request on first and second reading for a Class “C” Liquor License and Sunday Sales for Pete’s Tap, 1820 Angle Street – Oscars LLC (pending inspections)
- D. Request for Supplemental Application to a Class “B” Wine Permit and Class “E” Liquor License for Circle K #6600, 802 Cypress Street – Mac’s Convenience Stores LLC (pending inspections)
- E. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Hy-Vee Wine & Spirits, 522 Mulberry Avenue – Hy-Vee Inc. (pending inspections)
- F. Request for renewal of a Class “C” Liquor License and Sunday Sales for Sticks N’ Stones Bar and Billiards, 218 Walnut Street – Sticks N’ Stones Bar and Billiards (pending inspections and insurance)
- G. Request for renewal of a Special Class “C” Liquor License, Outdoor Service and Sunday Sales for Elly[‘s Tea & Coffee House, LLC, 208 West 2<sup>nd</sup> Street, #8 – Elly’s Tea & Coffee House LLC (pending inspections and insurance)
- H. Request for renewal of a Class “C” Liquor License, Outdoor Sales and Sunday Sales for The Pearl, 101 West Mississippi Drive – The Pearl LLC (pending inspections and insurance)
- I. Request for renewal of a Special Class “C” Liquor License, Class “B” Wine Permit, Outdoor Service and Sunday Sales for Wine Nutz, 208 West 2<sup>nd</sup> Street, Suite 217 – Wine Nutz LLC (pending inspections and insurance)
- J. Request for renewal of a Class “C” Beer Permit, Class “B” Wine Permit, Class “E” Liquor License and Sunday Sales for Kum & Go #438, 1429 Park Avenue – Kum & Go LC (pending inspections and insurance)
- K. Request from Muscatine Power & Water for Use of City Property for 5K Race

- L. Request from Sts. Mary Mathias Catholic Church for Use of City Property Annual Feast of Corpus Christi Procession
- M. Request from Geneva Golf & Country Club to Dispense Fireworks for Annual Family Fun Day
- \* **Items 9A-D – From the Mayor**
  - A. Proclamation Declaring May 5, 2016 as “National Day of Prayer”
  - B. Proclamation Declaring May 15-21, 2016 as “National Police Week” and May 18, 2016 as “Peace Officers’ Memorial Day”
  - C. Proclamation Declaring May 27-28, 2016 as “Buddy Poppy Day”
  - D. Proclamation Declaring May 2016 as “Historic Preservation Month”
- \* **Item 11K – From the City Administrator**
  - K. Resolution Accepting Sidewalk or Street Café Easement Agreement with Avenue Subs
- \* **Items 12A-G – Receive and File**
  - A. Muscatine County Board of Supervisors – April 11 & 18, 2016
  - B. Zoning Board of Adjustment – February 2, 2016
  - C. Community Improvement Action Team – February 23, 2016
  - D. Board of Water, Electric and Communications Trustees – March 29, 2016
  - E. MP&W Communications Utility – March 2016
  - F. MP&W Electric Utility – March 2016
  - G. MP&W Water Utility – March 2016
- \* **Bills\***
  - \* Approval of attached Bills for Approval totaling \$1,789,283.95 is subject to the approval of any related agenda item(s).

## **6. MINUTES – APPROVAL**

**7. PUBLIC HEARING**

**A. Proposed Declaration of 303 Brook Street as Surplus Property and Authorizing Its Disposal**

This public hearing concerns the proposed declaration of 303 Brook Street as surplus property and authorizing its disposal. The parcel was acquired by the City of Muscatine in 1984 and since that time, it has been maintained by the city. Prior to declaring this property as surplus, a public hearing is required.

Now is the time for the public to comment.

**B. Proposed Declaration of 307 Brook Street as Surplus Property and Authorizing Its Disposal**

This public hearing concerns the proposed declaration of 307 Brook Street as surplus property and authorizing its disposal. The parcel was acquired by the City of Muscatine in 1984 and since that time, it has been maintained by the city. Prior to declaring this property as surplus, a public hearing is required.

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. Resolution Declaring 303 Brook Street as Surplus Property and Authorizing Its Disposal**

Is there a motion to adopt the resolution as submitted?

**B. Resolution Declaring 307 Brook Street as Surplus Property and Authorizing Its Disposal**

Is there a motion to adopt the resolution as submitted?

C. First Reading of an Ordinance to Amend Title 7, Chapter 5 of the City Code Pertaining to Automated Traffic Enforcement

Presented for City Council's consideration is the first reading of an ordinance to amend Title 7, Chapter 5 of the City Code pertaining to Automated Traffic Enforcement. The revision is intended to remove any doubt as to whether the city ordinance allows mobile speed enforcement and also includes the addition of a speed category to be used while conducting speed enforcement in school and construction zones.

Is there a motion to approve the first reading of the ordinance 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 rental inspection fees to private properties. The fee being requested for assessment at this time totals \$3,075.31.

Is there a motion to adopt the resolution as submitted?

E. Resolution Setting Public Hearing for 2016 Asphalt Overlay Project

Presented for City Council's consideration is a resolution setting a public hearing for the 2016 Asphalt Overlay Project. Each year the city solicit bids for this program which is estimated at \$845,790.69. Roadway Maintenance funding comes from the Local Option Sales Tax (\$500,000) and from gas tax revenues. Prior to any formal action by City Council, a public hearing is required. This hearing will take place on Thursday, May 19, 2016, at 7:00 p.m.

Is there a motion to adopt the resolution as submitted?

F. Resolution Approving the Contract and Bond for the Community Development Block Grant Storm Water Project

Presented for City Council's consideration is a resolution approving the contract and bond for the Community Development Block Grant Storm Water Project. On April 21, 2016, City Council took action to award the contract for this project to Triple B Construction Corporation in the amount of \$69,558. At this time, staff is recommending that City Council approve the contract and bond.

Is there a motion to adopt the resolution as submitted?

G. Request to Approve Change Order #1 for the Community Development Block Grant

## Storm Water Project

Presented for City Council's consideration is a request to approve Change Order #1 for the Community Development Block Grant Storm Water Project. Grant funds received for this project totaled \$40,000. The contract for the project was awarded to Triple B Construction at the April 21, 2016 City Council meeting in the amount of \$69,558. With this change order, the total contract amount has been amended to \$32,473.

Is there a motion to approve the request as submitted?

## H. Resolution Accepting Easements for the Musser Park to Wiggins Road Trail

Presented for City Council's consideration is a resolution accepting easements for the Musser Park to Wiggins Road Trail. Due to the change in the routing for the trail, the city renegotiated easements with property owners to include expenses such as fencing and security to allow the city to pay the property owner directly and have them make the improvements they had requested. If done through the trail contract, improvement costs would be subject to federal funding restrictions.

Is there a motion to approve the request as submitted?

## I. Resolution Setting Public Hearing on Amendment #2 for the 2015/2016 City Budget

Presented for City Council's consideration is a resolution setting a public hearing on Amendment #2 for the 2015/2016 City Budget. This proposed amendment will increase total budgeted expenditures for the city by \$791,200, and transfers out will increase by \$144,900. Budgeted revenues are proposed to be amended by \$144,500 and transfers in by \$144,900. One of the most significant amendments is a \$211,000 request for the replacement of the track loader at the Transfer Station. There would be a significant cost of repairing the current loader to make it operational, and this repair would not significantly extend the useful life of the current loader. This purchase is proposed to be financed with an internal loan from other city funds. Prior to any formal action by City Council, a public hearing is required. This hearing will take place Thursday, May 19, 2016, at 7:00 p.m.

Is there a motion to adopt the resolution as submitted?

## J. Resolution Awarding Sale of \$4,600,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2016

Presented for City Council's consideration is a resolution awarding the sale of \$4,600,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2016. Jenny Blankenship of Public Financial Management, the city's financial advisor for this issue, will review the bids received and make a recommendation for award of this issue.

Is there a motion to adopt the resolution as submitted?

K. Resolution Accepting Sidewalk or Street Café Easement Agreement with Avenue Subs

Approved under Consent Agenda.

L. Request to Approve Traffic Committee Recommendation to Remove “No Parking” Signs at 6<sup>th</sup> Street and Mulberry Avenue

Presented for City Council’s consideration is a request to approve the Traffic Committee’s recommendation to remove two “No Parking” signs at 6<sup>th</sup> Street and Mulberry Avenue. The business that had requested the signs no longer exists. Removal of the signs will add an additional two to three on-street parking stalls which will offset the loss of two on-street parking stalls that will occur due to the new pizza business being constructed at that intersection.

Is there a motion to approve the request as submitted?

M. Request to Authorize Issuance of Purchase Order for Automated Garbage Packer Body for Refuse Collection

Presented for City Council’s consideration is a request to authorize the issuance of a purchase order for an automated garbage packer body for Refuse Collection. One bid was received from Elliot Equipment in the amount of \$113,024. The trade-in value for a 2004 refuse collection truck is \$17,500 for a final amount of \$95,524.

Is there a motion to approve the request as submitted?

N. Request to Authorize Issuance of Purchase Order for Truck Chassis for Refuse Collection

Presented for City Council’s consideration is a request to authorize the issuance of a purchase order for a truck chassis for Refuse Collection. Three bids were received with the low bid from Quad City Peterbilt in the amount of \$126,933. There is \$220,000 budgeted for the purchase of this truck chassis and the packer body (\$95,524) previously approved by City Council. There is an additional \$2,045 in the equipment budget that will be used toward this purchase. The remaining \$412 will be taken from the operating equipment line item of the Refuse Collection budget.

Is there a motion to approve the request as submitted?

O. Request to Approve Change Order #2 for the Airport Electrical Upgrade Project

Presented for City Council’s consideration is a request to approve Change Order #2

for the Airport Electrical Upgrade Project. The grant award from the Iowa Department of Transportation for this project was \$60,000. The bid for the project was awarded to Voltmer in the amount of \$39,269 leaving \$20,731 remaining in grant funds. Staff has worked with the engineer and Voltmer to identify additional work items to be completed in an effort to use the full grant award. Change Order #1 was completed in the amount of \$7,615. This change order totals \$9,450 which leaves \$3,666 remaining in grant monies.

Is there a motion to approve the request as submitted?

P. Request to Approve Change Orders #1 and #2 for the Clark House Domestic Hot Water Heater Project

Presented for City Council's consideration is a request to approve Change Orders #1 and #2 for the Clark House Domestic Hot Water Heater Project. The contract for this project was awarded to JL Brady on February 18, 2016 in the amount of \$49,478. During the project, Change Orders #1 and #2 arose totaling \$1,746. These change orders result in a final project cost of \$51,224. All funding for this project is from the Capital Fund program grant received from the U.S. Department of Housing and Urban Development.

Is there a motion to approve the request as submitted?

Q. Request to Approve Change Orders 2016-8001 and 2016-8002 for Phase 3B of the Sewer Separation Project

Presented for City Council's consideration is a request to approve Change Orders 2016-8001 and 2016-8002 for Phase 3B of the Sewer Separation Project. The city needed to reconstruct streets taken out because of this project. During this process, the contractor encountered unsuitable soils requiring extra work to stabilize the subgrade prior to placing the aggregate subbase and PCC pavement. Change Order 2016-8001 totals \$4,940 and Change Order 2016-8002 resulted in a credit of \$2,807 for a net increase to the contract of \$2,133.

Is there a motion to approve the request as submitted?

R. Request to Approve Engineering Services Agreement for Rehabilitation of Cleveland Street from 2<sup>nd</sup> Avenue to Park Avenue Frontage Road

Presented for City Council's consideration is a request to approve an Engineering Services Agreement for rehabilitation of Cleveland Street from 2<sup>nd</sup> Avenue to the Park Avenue Frontage Road. The Street Department has designated this portion of Cleveland Street for rehabilitation. The city received a proposal from Martin & Whitacre for the survey and design services in the amount of \$24,000. Staff is recommending the approval of the agreement. The actual project is scheduled to take place after July 1, 2016.

Is there a motion to approve the request as submitted?

**12. COMMUNICATIONS - RECEIVE AND FILE**

**13. APPROVAL OF BILLS**

It is recommended bills totaling \$1,789,283.95 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**