

CITY OF MUSCATINE
REGULAR MONTHLY SESSION OF CITY COUNCIL
Council Chambers - March 6, 1986 - 7:30 p.m.

The meeting was called to order by Mayor Richard Waltman.

Roll Call: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp.

Councilmember York gave the opening prayer.

The Pledge of Allegiance was given.

Public Hearing

Mayor Waltman announced the hearing was being held on the proposed amending of the Flood Plain Regulation Ordinance Title 10, Chapter 4 - i.e. one foot above the 100 year flood level.

Kevin Whittaker, Director of Planning and Community Development, reviewed the flood map and the areas which would be affected by the amendment. He told Council that the City began participating in the National Flood Insurance Program about ten years ago, noting that the Office of Federal Energy Management Agency determines the flood limits. He stated that the areas subject to flooding in Muscatine include property adjacent to the Mississippi River and the downtown area. He noted that the tributaries leading into the river include Mad Creek and the Geneva and Papoose Creeks. Mr. Whittaker added that areas south of town, especially on the Island, have pockets where ponding could occur. He told Councilmembers that this proposed amendment would require that all new structures be at least one foot above the 100 year flood level.

There were no oral comments for or against the proposed amendment.

There were no written petitions for or against.

#9431. Councilmember York moved the public hearing be closed. Seconded by Councilmember Kemp. All ayes; motion carried.

Public Hearing

Mayor Waltman stated the public hearing was being held to hear comments on the proposed 1986/87 City Budget.

Phyllis McBride, 2615 Bidwell Road, who operates a business on Washington Street, stated the delay in completing the bridge has caused business owners on that street thousands of dollars. She had read an article in the paper that stated property taxes for small businesses in Muscatine County would be increased by 12%. She felt that the state was under the impression Muscatine County people could absorb such an increase. Mrs. McBride stated that Muscatine is a farm community and will always be affected by the farm prices. She added that the community is also affected by unemployment in the Quad Cities, and that a major manufacturer has been relocating personnel and equipment out of state. She stated it was her

understanding from the article that citizens will also have to absorb a 3% increase in residential property taxes. Mrs. McBride, speaking for merchants on Washington Street, stated that a 15% increase in taxes is an exorbitant amount for Muscatine merchants to absorb. She questioned if City Council, the Chamber of Commerce, and legislators representing Muscatine, could contact the state to support small businesses in seeking tax relief.

City Administrator Wolff stated that the issue Mrs. McBride addressed is one of the most difficult items to deal with during budget preparation. He noted that the City does have some control over the amount of total taxes in terms of the tax rate. Mr. Wolff told the audience that property taxes in Iowa are extremely complicated, and as a result, most people have difficulty understanding the impact of their property taxes. Mr. Wolff stated that over the last five to six years, during the budget process, City staff has tried to show Councilmembers what the impact is from the tax rate. He noted there are a number of different factors which determine the number of dollars citizens will pay for taxes. Mr. Wolff stated that one of the factors is the equalization factor which was developed by the state. He informed the audience that in 1982/83, there had been a 15% equalization factor on all residential property in the City; however, there had not been a re-evaluation. He stated that another factor established by the state was the rollback factor. This factor relates to legislation passed in an effort to keep the residential tax base or assessed value from increasing more than 4% per year. He noted that the rollback factor is now used for commercial and industrial businesses.

City Administrator Wolff stated that in 1982/83, the equalization factor had been 15% for residential property and 6% for commercial. He noted that the City lowered the tax rate at that time which resulted in an 8% increase in taxes; and the tax rate was lowered to approximately 6%. Mr. Wolff stated that in 1984/85, the state found that numbers were 13% too high for commercial property, and assessed values for all commercial properties were then lowered by that amount. He noted that during the current fiscal year, there were no equalization factors. He told the audience that the state now feels they made a mistake when the assessed values were lowered by 13%; they are now stating the assessed values should be increased by 9%. He noted the state's finding was based on an individual from the state analyzing property sales that took place in Muscatine during 1984. He added that real estate sales in Muscatine were low. Additionally, after the study was completed, the state appraised 23 to 25 commercial properties. This was the method used to determine all commercial properties in Muscatine were under assessed by 9%. He noted that the properties chosen were within the City limits. Mr. Wolff stated that property taxes were increased by 9%. If the tax rate had been \$10.20, citizens would have also seen an additional 4% increase since the rollback factor went from 95% to approximately 99%.

City Administrator Wolff stated he recommended a tax rate of \$10.20; however, City Council proposed to lower it an additional five cents. He told the audience this would result in a tax increase of 3.2% for residential property and about 1 1/2% for commercial property. He noted that the property taxes for area industries will decrease by approximately 1%. Mr. Wolff stated that the problem the City is faced with is the fact that even though there will be 6% new tax revenues, only 2% of that will be for new growth. This means the City will only receive 4% in new taxes. He added that a majority of the taxes will come from commercial property. He noted that City Council only has control of the tax rate factor.

Mrs. McBride stated the article appeared in the paper about three weeks ago, and questioned if the state expects the City not to resist the tax increase. She

then questioned if the persons representing Muscatine County could be contacted to help support the residents seeking tax relief.

Mayor Waltman felt the legislators could be contacted. He questioned when the assessment figures were received from the state. City Administrator Wolff stated the figures were received from the county in late January or early February, adding the City does not know if there will be any freezes or cutbacks. He stated that most people will not be aware of an increase in their taxes until the tax bill is received in October.

Mrs. McBride questioned the possibility of asking the state to give citizens more advance notice on any tax increases in the future.

Mayor Waltman stated that the City's budget must be certified on March 15th of each year, and added that the 1986/87 budget will be certified at the March 13th In-Depth Meeting. The Mayor stated that even though the City has not received any information regarding any freezes or cutbacks, the budget must still be certified. He appreciated Mrs. McBride's efforts to bring this issue to the public's attention.

Councilmember Kemp felt it would be wise to contact Governor Branstad, in addition to the state representatives. He stated it is difficult to complete a budget when figures are received late, and when freezes and cutbacks are being made.

City Administrator Wolff stated there is currently a bill in the legislature to delay the budget certification date until April 15th. He added this would not correct the method of how information is supplied to individuals.

Mayor Waltman suggested that in the letter addressed to Gov. Branstad it be requested that copies be given to each of the legislators.

Mrs. McBride requested that the letter emphasize that the economy in Muscatine is not good.

City Administrator Wolff stated the City is collecting taxes on figures based on the value of property in calendar year 1984. He added that the economy was much stronger at that time.

There were no written petitions for or against the City's 1986/87 Budget.

#9432. Councilmember Kemp moved to close the public hearing. Seconded by Councilmember Amerine. All ayes; motion carried.

#9433. Councilmember Amerine moved the minutes of the February 20, 1986 Regular Council Meeting be approved, with the correction that the statement regarding Pablos' license be changed to read that the request for a Class B Permit had been tabled. Councilmember Powell moved the minutes be approved as amended. All ayes; motion carried.

Roger Roth, a resident of the YMCA, questioned the possibility of the City inserting in the union contract provisions for seasonal employment and inserting a clause stipulating the City hire former seasonal workers. He felt it would be beneficial to the City to hire people who can already do the work.

#9434. Councilmember Sayles moved the request for a new Class B Beer Permit for Pablo's, 207 E. 2nd St. - Paul G. Casas, be approved. Seconded by Councilmember

Harder. All ayes; motion carried.

#9435. Councilmember Powell moved the following requests be approved: 1) Renewal of Class C Liquor License for Chet's Play Time, 1209 Hershey Ave. - Carolyn Ballenger; 2) renewal of Class C Liquor and Sunday Sales Permit for Diamond Dave's, 1903 Park Ave. - South of the Border, Inc.; 3) renewal of Class C Beer and Sunday Sales Permit for Holiday Station, 503 Grandview Ave. - Cedar Falls Oil Company; 4) renewal of Class B Beer and Sunday Sales Permit for Riverbend Court Rooms, 2617 Park Ave. - Lora Corp. Seconded by Councilmember Phillips. All ayes; motion carried.

#9436. Councilmember Amerine moved the letter from Robert Vance requesting an additional boat ramp and docking facilities for transient boaters and loading and unloading activities be referred to the Levee Advisory Commission. Seconded by Councilmember York. All ayes; motion carried.

#9437. Councilmember Amerine moved the ordinance to amend Title 10, Chapter 4, Section 4(c) of the Flood Plain Regulations be approved on first reading. Seconded by Councilmember Powell. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and ordinance approved on first reading.

City Administrator Wolff felt it would be beneficial to the audience and City Council to hear a summary of the plans for the McIntire Subdivision and 63rd and 65th Streets. He stated the major problem the City is currently facing is where to drain the storm water.

Ray Childs, City Engineer, addressing the drainage problem in the McIntire Subdivision, stated that in 1982 residents in the neighborhood were opposed to the installation of deep ditches and culverts. He noted that the homes do not have driveway culverts. Mr. Childs presented an overlay of the drainage problems, and how they could be corrected. He stated that the corner of Cheryl Street and Reynolds Avenue is the area which is under water during the January snow melt. Mr. Childs told Council this area has a hard pan condition, and seems to collect water from all of Cheryl Street, and portions of Reynolds Avenue and Island Road. He added that excess water cannot be absorbed when the ground is frozen. He also noted there is an area on McIntire Road that traps a small amount of water. He stated that the City has exhausted every logical approach of draining the northwest corner of the subdivision, and there are not any low points within a quarter mile of the area. Mr. Childs informed Council that the City will be proposing a subterranean discharge which would drop below the frost line and underneath the hard pan condition, run out behind a vacant lot, turn the corner where a perforated drainage system would be installed ten feet underground, and then go back around the outside corner in order to stay away from private wells. He noted it would be a field tile system in reverse.

Mr. Childs, speaking in reference to street construction in the subdivision, stated the subdivision ordinance was changed about three years ago to allow for street installation on flat sections of the Island. He stated that whenever a street is installed with curb and gutter, plumbing must be installed to allow for drainage. He noted there are not any low points to discharge to on the Island. He informed Council the City would be opting for a twenty-four foot wide driving surface, and in the McIntire Addition the shoulder surface would be identical to the street surface to allow for mailboxes, and to keep pedestrians and bicyclists off the traveled portion of the roadway. He added that the City has tried to economize without jeopardizing the City's maintenance factor. He noted that residents would be assessed approximately \$2,700 to \$4,200 per lot.

Councilmember Harder questioned why the water had to be drained to the back of the housing addition. Mr. Childs stated that each of the homes has its own private well point. By going to the rear of the property, this would avoid contamination of the wells. He informed Council that the City had tried to assist residents by drilling two holes at nine feet deep to drain the surface ponding.

There was further discussion on the drainage results after the holes were drilled.

Mayor Waltman urged interested residents to attend the neighborhood meeting.

City Administrator Wolff recommended that a letter be sent to residents of the subdivision with a description of the project and the estimated assessment for the work. He stated that hopefully all problems will be settled before the public hearing is held.

#9438. Councilmember Amerine moved the resolution be adopted authorizing the preparation of preliminary plans, specifications, plat, schedule and cost estimates for the McIntire Subdivision, 63rd and 65th Streets and that the neighborhood meeting be set for March 19, 1986, at 7 p.m. at Garfield School. Seconded by Councilmember Kemp. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#9439. Councilmember Powell moved the resolution be adopted accepting the final work with Joe Jones Construction in the amount of \$75,652.41 for the 1984/85 Sidewalk Program. Seconded by Councilmember Amerine. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#9440. Councilmember Kemp moved the resolution be adopted approving the final assessment schedule for the 1984/85 Sidewalk Program in accordance with the attached schedule. Seconded by Councilmember Sayles. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

Ray Childs, City Engineer, outlined the streets in the City that have speed limits of 25 miles per hour. He told Council that the Iowa Code states speed limits within the City limits should be set at 25 miles per hour unless otherwise posted. He stated that Houser Street between Cedar and Lucas Streets is currently posted at 25 miles per hour, and when the street was paved, the City chose not to change the speed limit. Mr. Childs stated that the Police Department had conducted a speed survey and found that 85% of the motorists were driving at 45 miles per hour and under. He noted that a survey conducted on the U.S. 61 By-Pass indicated that a majority of the motorists drive in excess of 55 miles per hour.

City Administrator Wolff stated that the majority of streets in Muscatine are posted at 25 miles per hour.

Mayor Waltman asked what the speed limit was on Oregon Street. Mr. Childs stated that the speed around the curve going towards Grain Processing Corporation is 20 miles per hour, and the remainder 25 miles per hour.

Councilmember Kemp questioned the Councilmembers' feelings on changing the speed limit to 30 miles per hour as a compromise. He stated that he had received comments both for and against.

Mayor Waltman stated he had received a petition in favor of increasing the speed limit to 35 miles per hour, and a letter opposing the increase from the Knights of Columbus.

Councilmember Harder presented a letter to the Councilmembers from Carl Egger, a resident of Houser Street, who is opposed to increasing the speed limit. He stated he had received telephone calls and correspondence concerning the speed limit. He felt the speed limit should not be increased, noting that many residents on Houser Street feel that if the speed limit is increased, motorists will drive even faster.

Councilmember Sayles stated that initially she had received calls concerning the inconsistency of the speed limits. She noted there are very few streets in Muscatine with the 30 mile per hour speed limit. Mrs. Sayles felt the speed limit on Houser Street, between Cedar Street and Mulberry Avenue, should be lowered since a portion of the street is residential.

Councilmember Kemp stated that the speed limit on that portion of Houser Street has been 35 miles per hour for approximately ten years. He felt the speed limit on Houser Street, from Mulberry Avenue to Lucas Street, should be 30 miles per hour.

Councilmember Phillips questioned if the speed limit on Mulberry Avenue had been changed from 25 to 35 miles per hour. She added there have not been any problems with this speed limit.

Mayor Waltman questioned why the speed limit on Mulberry Avenue was increased. Mr. Childs stated there had been complaints about the 25 mile per hour speed limit; and the City felt 35 miles per hour would be a more realistic speed.

There was discussion on residents from the County Home boarding the bus on Houser Street.

Councilmember Powell stated he had recently driven down Houser Street. He felt the speed limit should be 30 miles per hour from Mulberry Avenue to Lucas Street.

#9440A. Councilmember Kemp moved the ordinance to increase the speed on Houser Street be approved on first reading with the amendment that the speed limit be changed to 30 miles per hour between Mulberry Avenue and Lucas Street. Seconded by Councilmember Powell.

Councilmember Harder stated he had discussed the possibility of increasing the speed limit to 30 miles per hour with various residents. He told Council that the majority of them felt they could not support that speed limit.

Councilmember Sayles stated that Ed George, Director of the Muscatine County Sheltered Workshop, preferred the 25 mile per hour speed limit.

Vote - Four ayes: Councilmembers Kemp, Powell, Phillips, and Amerine. Three nays: Councilmembers Sayles, Harder, and York. Motion carried and ordinance approved on first reading.

City Administrator Wolff recommended that Council authorize the City staff and the Airport Advisory Commission to negotiate a contract with the FAA for preparation of an Airport Master Plan. He stated the contract would then require Council's approval.

#9441. Councilmember Amerine moved the recommendation be approved. Seconded by Councilmember Powell. All ayes; motion carried.

Thomas Bankhead, 404 W. 3rd St., told Council that the Central Business District Committee felt the Main Street Program would restore the vitality to the downtown area. He stated that a professional director would be hired to change the attitudes of downtown merchants and citizens in the downtown area.

Mayor Waltman questioned the amount the committee is seeking and how much will be awarded from the state. Mr. Bankhead stated that if the application is approved, the state would award \$15,000 the first year, \$12,000 the second, and \$8,000 the third. He informed Council that the manager and office will cost approximately \$50,000 per year; the remainder of the money needed will be raised through donations. He told Council that only five communities with a population of approximately 50,000 will be chosen. He thought that most of the communities in that category are applying for the monies. He stated that a number of communities have utilized the program.

Mayor Waltman questioned if there would be enough time to file the application if Council chose to take action on the request at the March 13th In-Depth Meeting. Mr. Bankhead stated there would be.

#9442. Councilmember Kemp moved the request from the Central Business District Committee for the City to participate in the Main Street Program be referred to the March 13th In-Depth meeting for action. Seconded by Councilmember Powell. All ayes; motion carried.

City Administrator Wolff questioned if Council would want representatives from the committee present at the In-Depth meeting. They stated they would.

City Administrator Wolff stated that plans for the warehouse renovation on the Riverfront have been reviewed with Council, and he felt they should be reviewed again at the public hearing. He stated that City staff would like to see the renovation completed early this summer. Mr. Wolff stated that Roger Caudron and Randy Elder had performed most of the work on the project. He added that reactions from the community concerning the proposed renovation have been good.

Councilmember Kemp questioned if there was some way to fund the renovation without raising the price of the Great River Days buttons. City Administrator Wolff questioned if the issue of raising the price of the buttons would be discussed at the In-Depth Meeting. Pete Peterson of the Chamber of Commerce stated it would. Mr. Wolff stated that funding will come from various sources, and noted that \$22,000 has been aside from Great River Days funds. Mr. Wolff stated that one-half of the remaining \$42,500 would be funded from sale of the buttons. He added that the City hopes to generate more activities on the waterfront.

#9443. Councilmember Amerine moved the resolution be approved setting a public hearing on the Riverfront Warehouse Renovation Project. Seconded by Councilmember York. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#9444. Councilmember Powell moved the resolution be adopted setting a public hearing on the public transportation plan and request for Federal and State financial assistance. Seconded by Councilmember Sayles. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#9445. Councilmember York moved that items A-D be received and filed. Seconded by Councilmember Harder. All ayes; motion carried.

#9446. Councilmember Kemp moved that bills totaling \$459,819.10 be approved and the Mayor and City Clerk authorized to issue warrants for the same. Seconded by Councilmember Amerine. All ayes; motion carried.

Councilmember Harder questioned the progress on the Washington Street Bridge Project. Ray Childs, City Engineer, stated the bridge was structurally completed, and the barriers have been installed.

Mr. Childs stated that work must still be completed on both sides of the exterior of the bridge. He told Council that once the sidewalks are poured, the handrails will be installed. He stated that extra long bolts will be included with the handrails on the downstream side to allow for the installation of the waterline on the exterior of the bridge. He noted that the water company will need about five working days in order to install the waterline. Mr. Childs stated that the false work will remain in place to provide lateral support for the pouring of the sidewalk. He noted that preparations for installing the sidewalk will be done while waiting for the ground to thaw.

Mr. Childs reviewed what work must be done to complete the approach areas. He stated that a perforated drainage system, which would tie into the storm sewer at the edge of the bridge, needs to be constructed under the slab work of the approach areas. He stated that nothing can be done until the ground thaws. He informed Council that once the slab work has been poured and cured, the barriers will be brought down to curb height.

There was discussion as to when the bridge will be completed, and the daily penalty charged.

Councilmember Harder questioned the possibility of meeting with the state engineer and those persons involved with the bridge project at the March 13th In-Depth Meeting. He felt something should be done to expedite completion of the bridge. Mr. Harder also felt that something could be done to remove the frost from the ground.

Councilmember Kemp stated he had no objection to the meeting. He questioned why the company only worked three and a half day this week. Mr. Childs stated that on Monday workers were able to pull the forms from the north side of the barrier and pour the barrier on the south side of the bridge on Tuesday. He stated the company was only charged for a half day's work on Wednesday due to poor weather conditions. He added that preparations for installing the sidewalk are underway. He noted that nothing can be done on the approach area until the ground thaws.

Mayor Waltman noted that three of the Councilmembers will not be present for a meeting earlier in the week. Councilmembers concurred that the meeting would take place during the In-Depth Meeting.

Councilmember Harder stated the main reason he had requested the meeting be held at the In-Depth Meeting was due to the fact that a state engineer would already be present at the meeting. City Administrator Wolff stated that Bob Percival, from the DOT, will be present at the meeting; he is familiar with both projects.

Mayor Waltman questioned the legality of making changes in the contract with Fox Construction. Harvey Allbee, Jr., City Attorney, stated that if the contract is revised, any changes would need to be negotiated with the construction company, the City, and the state. He felt there would not be a problem in modifying the contract; however, it would take mutual consent.

Councilmember Phillips stated she would like to see transparencies at each Council meeting showing the progress on the bridge.

Mayor Waltman stated that he and Councilmembers Powell and Phillips would be attending a congressional meeting in Washington, D.C. He told Council that Federal Revenue Sharing would be discussed. He then informed Council that the grant application from the Office of Planning and Programming had not been approved.


#9447. Councilmember Powell moved to go into Executive Session to review labor contract negotiations. Seconded by Councilmember Kemp. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried.

#9448. Councilmember Sayles moved to go out of Executive Session. Seconded by Councilmember Powell. All ayes; motion carried.

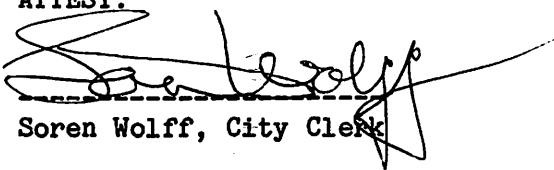
#9449. Councilmember Sayles moved to approve the Police Contract as recommended and as ratified by the Police Union to be effective July 1, 1986 through June 30, 1987. Seconded by Councilmember Powell. All ayes; motion carried.

#9450. Councilmember Harder moved to approve the contract with the Blue/White Collar Workers as recommended and as ratified by the Union to be effective July 1, 1986 through June 30, 1987.

The meeting adjourned.


Richard Waltman, Mayor

ATTEST:


Soren Wolff, City Clerk