

CITY OF MUSCATINE
IN-DEPTH COUNCIL MEETING
MINUTES

May 8, 1986

7:00 p.m.

CITY HALL COUNCIL CHAMBERS

PRESENT: Mayor Waltman, Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell and Kemp

ALSO PRESENT: Soren Wolff, City Administrator; Rob McDonald, Assistant City Engineer; Larry Wolf, Parks & Recreation Director; Craig Olson, Water Pollution Control Director and Marsha Tate Library Director

The Mayor indicated this was the time for the Council to consider action on proceeding with the McIntire 63rd and 65th Street Improvements. The Mayor asked that if anyone in the audience was going to address the Council that it should not be repetitious of the information received at the public hearing on May 1.

The following people addressed the Council:

- Ed Hicks, 5402 Reynolds Avenue, indicated the prior evening rain had caused a water problem in front of his property.
- John Haskins, 800 East 8th Street, indicated he owned two (2) vacant lots in the improvement area which he had not been able to sell and could not afford to pay the assessments.
- Mike Gaeta, 5520 Reynolds Avenue, stated he did not feel this was the right time for the project and it was too expensive for the neighborhood.
- Scott Bottcher, 5602 Reynolds Avenue, indicated the roads in the McIntire Addition are fine and felt McIntire and 63rd and 65th Streets should not be treated as one project. He further emphasized that most of the residents could not afford the proposed assessments.

The City Administrator indicated the petition filed against the project did not represent 75% of the assessment amounts. It was noted the signatures represented 58% of the assessments. Council was also presented with a report on what the assessments would be if equalized for all of the lots. Based on 89 lots the average assessment would be \$2,854.17.

The City Council then had a general discussion concerning the assessments over \$4,000 which involved corner lots and lot 37 of the Strausland Addition located on 63rd Avenue West. It was noted final adjustments to the assessments can be made after the project has been completed and costs are finalized.

The Mayor asked if there were other questions concerning the project or if there were any proposals to change the scope of the project to be considered as part of the amending resolution of necessity. There were none.

#9647. On motion by Councilmember York, seconded by Councilmember Kemp, it was moved to adopt the resolution amending the resolution of necessity with no changes. The resolution was adopted. YES - Councilmember York, Sayles, Phillips, Amerine, Powell and Kemp NO - Councilmember Harder.

#9648. On motion by Councilmember Powell, seconded by Councilmember Sayles, it was moved to adopt the resolution overruling all other objections. The resolution was approved. YES - Councilmember York, Sayles, Phillips, Amerine, Powell and Kemp NO - Councilmember Harder

#9649. On motion by Councilmember Kemp, seconded by Councilmember York, it was moved to order the preparation of detailed plans, specifications, notice of hearing, notice to bidders and form of contract. The resolution was approved. YES - Councilmember York, Sayles, Phillips, Amerine, Powell and Kemp NO - Councilmember Harder

The City Administrator indicated the Engineering Department had completed the plans, specifications, notice of hearing and notice to bidders and form of contract.

#9650. On motion by Councilmember Powell, seconded by Councilmember York, it was moved to approve the resolution adopting the detailed plans, specifications, notice of hearing, notice to bidders and form of contract. The resolution was adopted. YES - Councilmember York, Sayles, Phillips, Amerine, Powell and Kemp NO - Councilmember Harder

City Council then reviewed with the RAGBRAI Planning Committee the plans for the bike event to end in Muscatine on July 26, 1986. It was noted the following items would require Council approval:

1. Approve route into Muscatine and to the Waterfront - Hershey Avenue and Mississippi Drive.
2. Use of entire Waterfront from approximately 6:00 p.m. Friday until 12:00 midnight Saturday.
3. Permit food sales on Waterfront.
4. Operation of Beer Tent by Quarterback Club on Saturday from 9:00 a.m. to 12:00 midnight.
5. Provide Police assistance with traffic and crowd control.
6. Installation of Information Booth at Duncan Park.

7. Use of both attendant parking lots all day Saturday (close about 11:00 p.m. Friday).
8. Permission to install "Welcome To Muscatine" banner across public right-of-way.
9. Possible use of Public Transit buses.

Councilmembers Sayles, Kemp and Powell indicated they had no objections to the event and strongly encouraged the activities with the exception of the Beer Tent. Tom Bankhead and Pete Petersen of the Planning Committee indicated the Beer Permit should be issued for safety and crowd control reasons. Mr. Petersen emphasized the negative impact on the event by not permitting the beer tent which has been a tradition with the ending of RAGBRAI.

Councilmember Sayles indicated the request for the Quarterback Club to operate the Beer Tent should be acted upon separately at the next Council Meeting.

#9651. On motion by Councilmember York, seconded by Councilmember Kemp, it moved to approve all of the activities for the RAGBRAI event and the use of City property with the exception of the operation of the Beer Tent, to be submitted for further consideration at the next Council Meeting. The motion was approved unanimously.

The Council then reviewed information involving the request by Duane and Carole Timmons to extend their existing lease an additional 10 years. The lease is for Waterfront property on which the TIMarina is located. It was noted the land is owned by the City and the buildings and contents are owned by the Timmons. The City Administrator provided Council with a summary of various long range planning documents which advocate elimination of private businesses on the Waterfront. However, it was noted TIMarina provided certain services which were compatible with the Waterfront use involving boating. The City Administrator also indicated the lease did not require automatic renewal. It was noted the current lease is \$175 per month and had remained at that rate since 1976. Prior to 1976 the rent had been \$56 per month.

It was noted that Mr. Timmons had requested the lease be extended for 10 years at the current monthly rental fee of \$175. The City Administrator indicated an offer had been made to Mr. Timmons for an amount which included the current fee plus an increase based on the Consumer Price Index since 1976. Further, the new lease would also have an annual adjustment based on the Consumer Price Index. Councilman Harder asked if it would be feasible to consider a lease based on percentage of the profits of the business. Councilmember Kemp questioned whether the City could sell gasoline at the Waterfront. Mr. Timmons indicated that if there is an increase in the lease it is likely the individual currently interested in buying the business would back out. The City Administrator indicated a public hearing on the request for extending the lease would be held at the May 15 Council Meeting and additional information would be submitted to Council prior to the hearing.

Larry Wolf, Parks & Recreation Director, then reviewed the current fee structure for recreation programs and the recommendation for increases by the Parks & Recreation Advisory Board. After review of the fees, the following action was taken.

#9652. On motion by Councilmember Kemp, seconded by Councilmember Harder, it was moved to continue the non-resident fee of an additional charge of 50% of the residents fee with, not to exceed \$5.00 be increased to \$10.00. The motion was approved unanimously.

#9653. On motion by Councilmember Sayles, seconded by Councilmember Kemp, it was moved to increase the swimming pool fees from \$.75 to \$1.00 for youth and from \$1.00 to \$1.25 for adults and apply the non-resident policy to the season passes. The motion was approved unanimously.

Marsha Tate then reviewed the status of the Muscatine County Budget Subsidy to support the Library. It was noted the Board of Supervisors had proposed no increase for Fiscal Year 1987 with the same amount of \$30,000 appropriated as in Fiscal Year 1986. It was indicated the appropriation was \$29,772 in Fiscal Year 1985. The Council was informed that 25% of the library card holders are Muscatine County residents while the County subsidy accounts for only 6.9% of the Library General Funding. The City of Muscatine pays the remaining 93%, for the 75% card holders who reside in the City.

Paul Smith, President, of the Library Board indicated the amount recommended by the Board of Supervisors was \$3,000 less than requested. He then proceeded to outline five options which the Board is currently considering. The Council thanked Mr. Smith for the efforts taken by the Board and asked that they be kept informed of future action and the level of service to be provided to the County.

Larry Wolf, Parks & Recreation Director, reported that four bids had been received for operating the Kent-Stein and Weed Park Concession stands for three years. The bids were reviewed with Council and the high bid was from Big 10 Concessions paying 25% of gross sales for the Kent-Stein operation and 15% for the Weed Park concessions. Several Councilmembers expressed concern about the percentage for Kent-Stein and questioned whether the individual could actually operate under those conditions. The City Administrator indicated he was not optimistic the company could maintain the service over a three year period. It was noted there is a 30 day cancellation clause for non-performance.

#9654. On motion by Councilmember Kemp, seconded by Councilmember Amerine, it was moved to approve the Kent-Stein and Weed Park Concession contracts with Big 10 Concessions. The motion was approved unanimously.

Council then reviewed a memorandum from the City Attorney outlining three alternatives for conducting City elections. The City Administrator indicated this information had been requested as a result of the last two special elections. It was noted the City currently utilizes a run off election process which does not require a primary, but a run off is required when no candidate receives a majority. The City had previously utilized the primary system. The third alternative is to hold City elections with the individual receiving a plurality declared the winner. Council indicated they felt this alternative

would be more acceptable and less costly. Council requested the ordinance be considered at the next Council Meeting to set a public hearing for the last meeting in June.

Craig Olson, Water Pollution Control Director, then reviewed the proposal for establishing an Industrial Pre-Treatment sampling charge. Mr. Olson indicated the program is required by both the State and Federal government in order to monitor the quality of waste discharged by major industries to the Muscatine Waste Water Treatment Plant. Council was informed it is estimated the sampling charges would generate approximately \$30,000 annually.

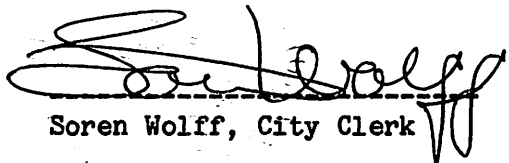
Councilmember Harder questioned whether the industries could conduct their own sampling. Mr. Olson noted that since the City would be responsible for verifying the quality and type of the waste, it was in the best interest of the City to perform the sampling and analysis. It was further indicated that the proposed charges compared favorably, and in most cases were lower than what private labs would charge for comparable sampling and laboratory testing. It was noted the ordinance to implement the fee structure had been introduced at the May 1 Council Meeting and would be considered on second reading at the May 15 meeting.

Mayor Waltman indicated he had received reports of excessive use of alcohol by minors with many using false i.d.'s. It was noted the Police Department will be working on this continual problem again this summer.

#9655. On motion by Councilmember Kemp, seconded by Councilmember Amerine it was moved to adjourn the meeting. The motion was approved unanimously.



Richard Waltman, Mayor



Soren Wolff, City Clerk