

MINUTES

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - January 17, 1980 - 7:30 p.m.

The meeting was called to order by Her Honor, Mayor Evelyn L. Schauand.

Roll Call: Ald. Platt, Koehrsen, Hilton, Kemp, Duncan and Waltman present. Ald. Rada absent.

The opening prayer was given by Harvey Allbee, Jr., Corporation Counsel.

The Pledge of Allegiance was given.

City Administrator Soren Wolff introduced the new City Attorney, Ken Whitacre.

PUBLIC HEARING

Mayor Schauand announced the purpose of the public hearing was to receive input from citizens regarding the proposed plans, specifications and cost estimates for the Boat Harbor Expansion and Improvement Project.

Ray Childs, City Engineer, outlined the proposed plans for this project. He stated that a June 1, 1981, completion date is anticipated, but that an earlier completion date could be a factor in determining the award of bid.

Art Howe, 16 Colony Drive, stated that he felt the problem of silt being deposited in the mouth of the harbor should be addressed before the new slips are built. He questioned whether money has been allocated for dredging to resolve this problem. City Administrator Wolff stated that the City has requested the Corps of Engineers to do some dredging and that the City is trying to allocate funds for periodic dredging.

#4477. Ald. Kemp moved to close the public hearing. Second by Ald. Waltman. All ayes; motion carried.

#4478. Ald. Koehrsen moved to approve the minutes of the Regular Council Meeting of January 3, 1980. Second by Ald. Waltman. All ayes; motion carried.

Glenda Schweitzer, of the Muscatine Chamber of Commerce, requested Council to defer action on the proposal to do a study on the Weed Park Zoo by ZooPlan Associates until the community has had time to become better informed on the issue.

#4479. Ald. Duncan moved to approve the application for a new liquor license for Harry E. Koch, d/b/a Little Joe's, 525 Mulberry Avenue. Second by Ald. Platt. All ayes; motion carried.

#4480. Ald. Waltman moved to approve the application for a new liquor license for James E. Burmeister, d/b/a Golden Spike, 516 E. 2nd Street. Second by Ald. Koehrsen. All ayes; motion carried.

#4481. Ald. Hilton moved to approve the application for a new liquor license for Darlene F. O'Banion, d/b/a Dew Drop Inn, 1415 Grandview. Second by Ald. Platt. All ayes; motion carried.

#4482. Ald. Waltman moved to approve the application for renewal of a Class "C" beer/liquor license for Carolyn L. Ballenger, d/b/a Chet's Playtime, 1209 Hershey. Second by Ald. Hilton. All ayes; motion carried.

#4483. Ald. Kemp moved to approve the renewal of a Class "C" beer/liquor license for Muscatine Labor Activities, Inc., 222 W. 2nd Street. Second by Ald. Duncan. All ayes; motion carried.

#4484. Ald. Platt moved to approve the renewal of a Class "C" beer/liquor license for Jaeger Hotel Company and Rachid Bauchereb, d/b/a Chez Rachid, 101 W. Mississippi Drive. Second by Ald. Kemp. All ayes; motion carried.

#4485. Ald. Hilton moved to approve the resolution approving retail cigarette permit for Steven R. Posten, d/b/a Steve's Dugout, 1212 Hershey Avenue. Second by Ald. Duncan. All ayes: Ald. Platt, Koehrsen, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4486. Ald. Waltman moved to approve the resolution setting a public hearing on a proposed amendment of the R-1, 2 and 3 Residential Zoning District to permit CATV facilities and tower in the R-1, 2 and 3 Residential Districts as a conditional use for February 7, 1980, at 7:30 p.m. Second by Ald. Kemp. All ayes: Ald. Platt, Koehrsen, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

John Hilton, Atalissa, property owner on Hershey Avenue, spoke regarding the Meyer and Meyer Five Lot Subdivision on Hershey Avenue. He stated that he owns property next to this proposed subdivision and feels that potential buyers of homes built in this subdivision should be aware of the run-off problem in this location caused by storm sewers overflowing and drainage off the hill during storms. Kevin Whittaker, Planning Administrator, stated that temporary ground cover will be put on this property during construction and that the City will need to maintain the catch basins in this area. He added that there will still be a certain amount of run-off during storms, but that most of it should be taken care of with maintenance of catch basins and sufficient ground cover.

#4487. Ald. Duncan moved to approve the resolution approving the Meyer and Meyer Five Lot Subdivision subject to building permits not being issued until the bond for construction of sidewalks has been received. Second by Ald. Platt. Ayes: Ald. Platt, Koehrsen, Kemp, Duncan and Waltman. Ald. Hilton abstained.

Mayor Schau land read a proclamation declaring the week of January 20 - 26, 1980, as Jaycee Week.

#4488. Ald. Waltman moved to approve the proclamation declaring the week of January 20 - 26, 1980, as Jaycee Week. Second by Ald. Koehrsen. All ayes; motion carried.

Mayor Schau land honored Tom Hammer of the Muscatine Jaycees as the "Outstanding Citizen of the Month" for his services to the community.

#4489. Ald. Platt moved to approve the resolution approving plans, specifications, form of contract and cost estimates for the Boat Harbor Expansion and Improvement Project. Second by Ald. Duncan. All ayes: Ald. Platt, Koehrsen, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4490. Ald. Kemp moved to approve the resolution approving acceptance of public improvements in Lincolnshire Village, Phase I, provided that the installation of sidewalks on Second Avenue (West side) and on the North side of Cleveland Street be deferred until building permits are issued for Phase II of the project. Second by Ald. Duncan. All ayes: Ald. Platt, Koehrsen, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

City Administrator Wolff spoke regarding the approval of payments to Priester Construction Company for Sludge Holding Tanks. He recommended Council approve paying all but 5% and accepting the project since the project is complete and are just awaiting replacement of faulty equipment.

#4491. Ald. Kemp moved not to accept the Sludge Holding Tanks but to approve payment of \$41,436.67 to Priester Construction Company, leaving an unpaid balance of \$38,085.33 to be approved for payment at such time the project is accepted by the City. Second by Ald. Hilton. All ayes: Ald. Platt, Koehrsen, Hilton, Duncan and Waltman. Motion carried.

#4492. Ald. Kemp moved to approve the resolution approving sale of \$20,000 Urban Renewal Tax Increment Revenue Bonds. Second by Ald. Duncan. All ayes: Ald. Platt, Koehrsen, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4493. Ald. Hilton moved to approve the "Offer of Sale" of property for the following location and in the following amounts: 1902 Oneida Avenue - \$11,500; 1920 Breese Avenue - \$12,500; 505 Liberty Street - \$8,500; and 211 Taylor Street - \$8,500 with said amounts to be paid from the Community Development Program. Second by Ald. Platt. All ayes; motion carried.

Ald. Koehrsen stated that she feels Council needs to be concerned with where the City is headed with transportation planning before becoming too involved in the Section 13(c) Warranty for federal funds. City Administrator Wolff stated that it could be detrimental if the City does not go ahead with obtaining these funds in relation to receiving additional funds in the future. Ald. Platt questioned how long the City would be obligated if we receive the Section 18 funds for Public Transportation. Community Development Director Arlen Wiggs stated that the City would have to reimburse the federal government for the amount of remaining value of the buses which would be purchased with these funds.

#4494. Ald. Duncan moved to approve Section 13 (c) Warranty under the Federal Urban Mass Transportation Act to receive Section 18 funds for Public Transportation and authorize the Mayor to enter into a contract and City staff to proceed with the application for funding for the purchase of additional vehicles. Second by Ald. Kemp. All ayes; motion carried.

Item 11G on the agenda was deleted.

#4495. Ald. Duncan moved to approve the amendment to the Swimming Pool Agreement between the City of Muscatine and the Muscatine Public School System.

Second by Ald. Platt. All ayes; motion carried.

Ald. Kemp questioned whether a request will be made in the future to purchase radio equipment of the type which is now proposed to be sold. Police Chief C.F. Myhr stated that this equipment is obsolete and cannot be used by the City.

#4496. Ald. Waltman moved to declare the radio equipment as surplus property and authorize the sale of the equipment to the Muscatine County Sheriff's Patrol in the amount of \$1,600. Second by Ald. Kemp. All ayes; motion carried.

#4497. Ald. Platt moved to approve the three year Labor Agreement between the City and the Chauffeurs, Teamsters and Helpers Union Local No. 238 for the period covering July 1, 1980, through June 30, 1983. Second by Ald. Waltman. All ayes; motion carried.

City Administrator Wolff spoke regarding the request to burn trees at the tree landfill stating that a permit is not required and that the Fire Department would respond if a problem occurs. He added that staff will work with the township to determine preferable times for this burning to be done. Ald. Kemp questioned whether some other use could be made of these trees. Don LeMar, Director of Streets and Grounds, stated that these trees are what is left after people have been given the opportunity to come and get these trees for firewood and that the remaining is either too big or is merely brush.

#4498. Ald. Kemp moved to approve the burning of trees at the tree landfill. Second by Ald. Duncan. All ayes; motion carried.

#4499. Ald. Waltman moved to receive and file communications received. Second by Ald. Platt. All ayes; motion carried.

#4500. Ald. Platt moved to approve bills totaing \$417,627.33 and authorize the Mayor and City Clerk to issue warrants for the same. Second by Ald. Kemp. All ayes; motion carried.

Corporation Counsel Allbee stated that the condemnation hearing on property in the annexed area would be held a week from Friday and requested a closed session at the end of the Council meeting to discuss this matter.

Ald. Koehrsen stated that City members of the City/County Liaison Committee met prior to the Council meeting to plan for City/County communications.

Ald. Hilton stated that she appreciated receiving information from staff on zoning matters affecting her ward.

Ald. Kemp requested a recommendation on a frontage road by McDonalds and sidewalk construction for the coming season.

City Administrator Wolff reported that a group of young men and women working under the T.R.A.I.N. program have asked if the City has any projects which they could provide manpower. He stated that this group will be installing new street name signs with cost of materials at around \$7,000 to \$8,000. Ald. Kemp stated that he felt larger signs should be used in heavy traffic areas. City Administrator Wolff stated that staff may be requesting allocation of funds from the Contingency Fund for this project.

Mayor Schauand requested Council to indicate whether they would be attending the League Meeting in Washington D.C. so reservations can be made.

Ken Chatfield stated that Council should also look into having house numbers placed on homes in the City. Ald. Platt stated that there is an ordinance requiring house numbers and that the police department should turn in any unnumbered houses to the City Administrator's Office.


#4501. Ald. Kemp moved to go into executive session to discuss strategy for pending litigation. Second by Ald. Koehrsen. All ayes: Ald. Platt, Koehrsen, Hilton, Kemp, Duncan and Waltman. Motion carried.

#4502. Ald. Waltman moved to go out of executive session. Second by Ald. Platt. All ayes: Ald. Platt, Koehrsen, Hilton, Kemp, Duncan and Waltman. Motion carried.

#4503. Ald. Platt moved to adjourn the meeting. Second by Ald. Waltman. All ayes; motion carried.


Evelyn L. Schauand, Mayor

Attest:


Soren Wolff, City Clerk