

MINUTES

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - May 1, 1980 - 7:30 p.m.

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

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

The opening prayer was given by Pastor Bill Keller.

The Pledge of Allegiance was given.

PUBLIC HEARING

Mayor Schauand announced the purpose of the public hearing was to receive citizen comment on the proposed amendments to the Zoning Ordinance regarding height limitations, fences around swimming pools and swimming pool setback requirements.

There were no oral appearances for or against.

There were no written petitions for or against.

#4663. Ald. Waltman moved to close the public hearing. Second by Ald. Rada. All ayes; motion carried.

PUBLIC HEARING

Mayor Schauand announced the public hearing was being held to receive comments from citizens on the proposed rezoning of property at the intersection of Mill, Busch, Pearl and Liberty Streets from R-3 (Single Family Residential) to C-1 (Neighborhood Commercial).

Atty. John Hintermeister, representing Bob Seiler, spoke in favor of the rezoning. He stated that the request for rezoning was made to allow an auto repair business to utilize this site.

Ald. Kemp questioned whether cars and parts will be stored on this site. Mr. Seiler stated that a storage area must be built so that things of this type will not be seen from the street.

There were no written petitions for or against.

#4664. Ald. Duncan moved to close the public hearing. Second by Ald. Hilton. All ayes; motion carried.

#4665. Ald. Kemp moved to approve the Minutes of the In-Depth Council Meeting of March 27, 1980. Second by Ald. Platt. All ayes; motion carried.

#4666. Ald. Platt moved to approve the Minutes of the In-Depth Council Meeting of April 10, 1980. Second by Ald. Rada. All ayes; motion carried.

#4667. Ald. Waltman moved to approve the Minutes of the Regular Council Meeting of April 17, 1980. Second by Ald. Duncan. All ayes; motion carried.

Mayor Schauand introduced Mrs. Delores Hoben, representing parents and hearing impaired people in Muscatine. Mrs. Hoben stated that Governor Ray has proclaimed May as Better Hearing and Speech Month in Iowa. She introduced Ms. Judy Sigulinsky who demonstrated the use of a TTY (telephone for the hearing impaired).

#4668. Ald. Duncan moved to approve the proclamation declaring the Month of May, 1980, as "Better Hearing and Speech Month." Second by Ald. Platt. All ayes; motion carried.

Mayor Schauand announced the "Outstanding Citizen of the Month" is Pastor Richard Mullin for many years of service as a christian leader in the community.

Mayor Schauand read the report prepared by the City Administrator on the Houser Street condition. City Engineer Ray Childs reviewed the seven alternatives for remedying this problem.

Mr. John Bird, 1312 Houser Street, stated that City and County residents should vote to determine if they are willing to be assessed for the paving of Houser Street.

Mr. John Shoultz, 2907 Fulliam, stated that he felt the bypass would never become a reality.

Mr. Bill Last, representing Knights of Columbus, 2011 Houser Street, stated that the residents of Houser will not accept full residential assessment for paving this street.

Mr. Robert Dueland, 2025 Houser Street, stated that a health hazard exists because of the severe dust problem.

Mr. Carl Egger, 1304 Houser Street, stated that something must be done now about the dust problem and recommended that the fifth alternative as outlined in the report by the City Administrator be utilized.

Ald. Platt stated that he felt the trucks need to be kept off Houser Street, immediate action must be taken to solve the dust problem, and that Council should be receptive to the residents and discuss this situation with them.

City Administrator Wolff stated that the total cost of sealcoating Houser Street including labor and equipment costs would be approximately \$10,000. He added that there would be continual patching required.

Ald. Hilton stated that Houser Street is not the only street in the City that has a dust problem and that if something is done on Houser Street residents on 57th Avenue South will be requesting sealcoating for their street.

Mr. Bill Connor, 1106 Houser Street, stated that he is willing to share the cost of resurfacing the street if it is a lasting solution. He added that the City should designate Houser Street as a highway extension and request state and federal aid in paving this street.

Mrs. Russell Peters, 1206 Houser Street, stated that she feels it is a waste of money to grade Houser Street.

Mrs. William Collitz, 3003 Lucas, stated that she agrees with Ald. Platt about sealcoating Houser Street and that it should be paved.

Mayor Schauand suggested that Council meet with spokesmen for the residents of Houser Street on Wednesday, May 7th at 7:30 p.m.

Mr. David Schmidt, 2906 Dawson Street, stated that he felt a decision should be made at this Council meeting for a temporary solution to the Houser Street problem.

Ald. Duncan stated that the least expensive alternative should be utilized as a temporary solution to the Houser Street problem.

Mr. Marcus Montagna, 2914 Broadlawn, stated that traffic goes through his yard when the City is grading Houser Street.

Mayor Schauand asked for a show of hands of citizens for the various alternatives indicated in the report by the City Administrator. Alternative #4 (sealcoating) received the majority.

Mr. Harold Metzger, 2924 Cedar Street, questioned whether a water truck would help the dust problem.

Mr. Montagna stated that he felt the City should keep trucks off Houser Street and blacktop the street as it was previously.

City Administrator Wolff stated that the least cost to solve the dust problem would be to sealcoat the street. He added that other streets in town have dust problems as well.

#4669. Ald. Platt moved to sealcoat Houser Street and for Council to hold a meeting with residents of Houser Street on May 7th at 7:30 p.m. Second by Ald. Waltman. Ayes: Ald. Platt, Rada, Duncan and Waltman. Nays: Ald. Hilton and Kemp. Motion carried.

#4670. Ald. Duncan moved to extend the current embargo on Houser Street for thirty days. Second by Ald. Platt. Five ayes; one nay (Hilton). Motion carried.

Corporation Counsel Harvey Allbee, Jr., stated that the City Council cannot approve the liquor license for Clark Super 100 subject to the license being suspended for a period of time, and that the Council should deal with the renewal of the license and the suspension separately. Atty. John Hintermeister stated that Council should wait for a conviction before suspending this liquor license.

#4671. Ald. Rada moved to approve the renewal of a Class "C" Beer Permit and Sunday Sales Permit for Norbert L. Loos, d/b/a Clark Super 100, 711 Park Avenue. Second by Ald. Platt. All ayes; motion carried.

#4672. Ald. Waltman moved to approve the renewal of a Class "C" Beer Permit and Sunday Sales Permit for Pizza Hut, Inc., Muscatine Mall. Second by Ald. Duncan. All ayes; motion carried.

#4673. Ald. Duncan moved to approve the renewal of a Class "C" Beer Permit and Sunday Sales Permit for Walgreens, Inc., Muscatine Mall. Second by Ald. Rada. All ayes; motion carried.

#4674. Ald. Platt moved to approve the request by the American Legion and American Legion Auxiliary to sell poppies on May 16th and 17th. Second by Ald. Waltman. All ayes; motion carried.

#4675. Ald. Duncan moved to approve the proclamation declaring the week of May 1-7, 1980, as "Muscatine Art Center 14th Anniversary Week." Second by Ald. Kemp. All ayes; motion carried.

#4676. Ald. Platt moved to approve the proclamation urging citizens to support the Veterans of Foreign Wars by purchasing Buddy Poppies. Second by Ald. Hilton. All ayes; motion carried.

#4677. Ald. Waltman moved to approve the proclamation declaring the Month of May as "American Legion Poppy Month." Second by Ald. Rada. All ayes; motion carried.

#4678. Ald. Duncan moved to approve the proclamation declaring the Month of May as "Nursing Home Month." Second by Ald. Platt. All ayes; motion carried.

Mayor Schauand announced that Ald. Hilton will be attending the Board of Water and Light Trustees meeting on May 13th.

#4679. Ald. Waltman moved to approve the ordinance on third and final reading to adopt the 1980 Flood Control Manual and direct it to be published in the Muscatine Journal. Second by Ald. Kemp. All ayes: Ald. Platt, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance adopted on third and final reading.

#4680. Ald. Hilton moved to approve the ordinance on first reading amending the Zoning Ordinance to rezone property at the intersection of Mill, Busch, Pearl and Liberty Streets from R-3 (Single Family Residential) to C-1 (Neighborhood Commercial). Second by Ald. Kemp. All ayes: Ald. Platt, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance approved on first reading.

#4681. Ald. Waltman moved to approve the ordinance on first reading amending the Zoning Ordinance Sections 9-18-1(B), 9-18-13 and 9-19-3(I), (J) and (K). Second by Ald. Kemp. All ayes: Ald. Platt, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance approved on first reading.

#4682. Ald. Platt moved to approve the ordinance on third and final reading to adopt a Noise Control Ordinance and direct it to be published in the Muscatine Journal at a later date. Second by Ald. Rada. All ayes: Ald. Platt, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance adopted on third and final reading.

#4683. Ald. Platt moved to approve the resolution setting a public hearing for 7:30 p.m. on May 15, 1980, on the third year Community Development Small Cities program application in the amount of \$565,400. Second by Ald. Hilton. All ayes: Ald. Platt, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

City Administrator Wolff announced that Central State Bank has indicated its desire to participate in the paving project for Liberty and Division Streets and that Reed Street from Liberty Street to Grandview Avenue should be included in this project with the bank paying for the cost of paving Reed Street.

#4684. Ald. Hilton moved to approve the resolution setting a public hearing for May 15th at 7:30 p.m. on the plans, specifications, form of contract, cost estimate and notice to bidders for the Liberty and Division Street Improvement Projects with the addition of Reed Street from Liberty Street to Grandview Avenue with Central State Bank paying the costs related to the paving of Reed Street. Second by Ald. Kemp. All ayes: Ald. Platt, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4685. Ald. Platt moved to approve the resolution setting a public hearing for May 15th at 7:30 p.m. on the plans, specifications, form of contract, cost estimate and notice to bidders for the Weed Park Pool Renovation Project. Second by Ald. Waltman. All ayes: Ald. Platt, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4686. Ald. Duncan moved to authorize the reallocation of funds and accept the low bid from Cyclone Fence Sales in the amount of \$4,770 for two outfield fences at Kent-Stein Park. Second by Ald. Rada. All ayes; motion carried.

City Administrator Wolff reported that Mr. Bosch has removed the signs at the intersection of Mississippi Drive and Broadway but that some of the materials are still on the City right-of-way. He recommended that Council go ahead with the action as recommended on the agenda.

#4687. Ald. Duncan moved to deny the request by Mr. Bosch for a lease of the Broadway right-of-way and that the existing billboards be removed. Second by Ald. Platt. All ayes; motion carried.

#4688. Ald. Kemp moved to approve the revision of the parking allocations for the Fourth Street lot as outlined on the agenda. Second by Ald. Duncan. All ayes; motion carried.

#4689. Ald. Platt moved to approve the ordinance on first reading outlining procedures for disposing of City property. Second by Ald. Waltman. All ayes: Ald. Platt, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance approved on first reading.

#4690. Ald. Kemp moved to approve the three lease agreements at the Municipal Airport as follows: Earl Deahr, 5315 Grandview, 78 acres at \$57.50 per acre for a total of \$4,485; Wayne Ogier, R.R. #1, P.O. Box 155, Columbus Junction, 72 acres at \$12.57 per acres for a total of \$905; Water Pollution Control Plant, 39 acres at \$57.50 per acre for a total of

\$2,242.50. Second by Ald. Duncan. All ayes; motion carried.

#4691. Ald. Platt moved to receive and file communications received with the addition of letters received from John Fifer and Steve Pulliam. Second by Ald. Duncan. All ayes; motion carried.

City Administrator Wolff announced that an addition is requested to the bills for approval to allow for payment of the new garbage truck. He stated that the amended total for the bills for approval is \$433,394.41.

#4692. Ald. Kemp moved to approve bills totaling \$433,394.41 and authorize the Mayor and City Clerk to issue warrants for the same. Second by Ald. Waltman. All ayes; motion carried.

Corporation Counsel Allbee stated that he is willing to fill in for Ken Whitacre as temporary City Attorney if the Council so desires and that he will bill the City for time spent. He added that he would be available in the City Attorney's Office for at least one hour on Mondays - 1:30 p.m., Wednesdays - 1:00 p.m. and Fridays - 1:00 p.m.

Ald. Rada stated that fork lift trucks are driving on the sidewalk on Mississippi Drive between Schmarje Tool and the Kardux building.

#4693. Ald. Waltman moved to appoint Harvey Allbee, Jr., as temporary City Attorney. Second by Ald. Duncan. All ayes; motion carried.

Mayor Schauand announced that Bob Minter has requested Council's opinion on the Sheltered Workshop relating to smaller committees.


#4694. Ald. Platt moved to have the Mayor send a letter to Mr. Minter relating the City's desire to have the committees at the Sheltered Workshop remain small and reduce the size of the Board. Second by Ald. Waltman. All ayes; motion carried.

Ald. Platt stated that at some future date the City and other funding agencies should meet to consider not having representatives sit on the Board of the Sheltered Workshop.

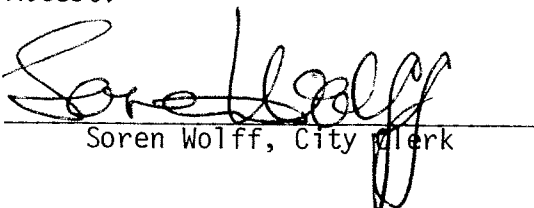
Mayor Schauand thanked KWPC/KFMH for their free radio advertising for Clean-Up Week and urged all citizens to do their share in cleaning up Muscatine.

Mr. Edward Jensen, 401 Lowe, stated that the signs on the Cemetery property have been removed, but that the stakes are still in the ground and might cause injury to someone walking in this area.

#4695. Ald. Platt moved to adjourn the meeting. Second by Ald. Rada. All ayes; motion carried.


Evelyn L. Schauand, Mayor

Attest:


Soren Wolff, City Clerk