

MINUTES

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - May 15, 1980 - 7:30 p.m.

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

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

The opening prayer was given by Pastor Julius Rechtermann.

The Pledge of Allegiance was given.

PUBLIC HEARING

Mayor Schauland announced the public hearing was being held to receive public comment on the third year Comprehensive Block Grant Small Cities application.

There were no oral appearances for or against.

There were no written petitions for or against.

#4702. Ald. Kemp moved to close the public hearing. Second by Ald. Waltman. All ayes; motion carried.

PUBLIC HEARING

Mayor Schauland announced the purpose of the public hearing was to receive citizen input on the plans and specifications for the Liberty, Division and Reed Street Improvement Project.

There were no oral appearances for or against.

There were no written petitions for or against.

#4703. Ald. Waltman moved to close the public hearing. Second by Ald. Koehrsen. All ayes; motion carried.

PUBLIC HEARING

Mayor Schauland announced that the public hearing was being held to receive citizen input on the plans and specifications for the Weed Park Pool Renovation Project.

There were no oral appearances for or against.

There were no written petitions for or against.

#4704. Ald. Rada moved to close the public hearing. Second by Ald. Hilton. All ayes; motion carried.

#4705. Ald. Platt moved to approve the Minutes of the Regular Council Meeting of May 1, 1980, as corrected. Second by Ald. Duncan. All ayes; motion carried.

#4706. Ald. Waltman moved to approve the renewal of a Class "C" Beer/Liquor license for Mary H. Griffin, d/b/a George's Steak House, 1510 Isett Avenue. Second by Ald. Platt. All ayes; motion carried.

#4707. Ald. Kemp moved to approve the renewal of a Class "C" beer permit and Sunday Sales Permit for Ken's Pizza Parlors, Inc., Muscatine Mall. Second by Ald. Rada. All ayes; motion carried.

#4708. Ald. Duncan moved to approve the renewal of a Class "C" Beer/Liquor License for Bette Anson and Jackie Opel, d/b/a Sandmound Restaurant, Grandview Avenue. Second by Ald. Hilton. All ayes; motion carried.

#4709. Ald. Rada moved to approve the application for relocation of a Beer Permit for Hy-Vee Food Store, Muscatine Mall. Second by Ald. Koehrsen. All ayes; motion carried.

#4710. Ald. Hilton moved to approve the resolution approving Cigarette Permit for Roger Brown and Frank Kemper, d/b/a The Pantry, 1907 Stewart Road. Second by Ald. Platt. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4711. Ald. Kemp moved to approve the resolution approving Cigarette Permit for Walgreen's Company, d/b/a Walgreen's, Muscatine. Second by Ald. Duncan. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4712. Ald. Rada moved to approve the resolution approving Cigarette Permit for Pester Derby Oil Company, d/b/a Pester Derby, Clay and Gobble Street. Second by Ald. Platt. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4713. Ald. Platt moved to receive and file the letter from Mr. Donald Knapp appealing his relocation payment made through the Community Development Department. Second by Ald. Kemp. All ayes; motion carried.

Mr. John Fifer, 1005 Iowa Avenue, questioned why the payment to Mr. Knapp was reduced. City Administrator Wolff explained that others were paid higher rates due to specialized equipment required. Ald. Platt stated that he felt this matter should have been settled at the time payment was made.

#4714. Ald. Duncan moved to approve the renewal of a Class "C" Beer Permit for Clyde Hubble, d/b/a Hubbles, 214 East 2nd Street. Second by Ald. Waltman. All ayes; motion carried.

Mayor Schauand announced the Outstanding Citizen of the Month is Ron Edwin for his services as an outstanding citizen on Freedom Day.

Mayor Schauand read a proclamation declaring the week of May 18 through 24, 1980, as "World Trade Week."

#4715. Ald. Duncan moved to approve the proclamation declaring the week of May 18 through 24, 1980, as "World Trade Week." Second by Ald. Kemp. All ayes; motion carried.

Mayor Schauland read a proclamation declaring the Month of May, 1980, as "Armed Forces Month" and May 17, 1980, as "Armed Forces Day."

#4716. Ald. Platt moved to approve the proclamation declaring the Month of May, 1980, as "Armed Forces Month" and May 17, 1980, as "Armed Forces Day." Second by Ald. Rada. All ayes; motion carried.

Mayor Schauland read a proclamation declaring the week beginning June 1, 1980, as "National Safe Boating Week."

#4717. Ald. Waltman moved to approve the proclamation declaring the week beginning June 1, 1980, as "National Safe Boating Week." Second by Ald. Hilton. All ayes; motion carried.

#4718. Ald. Rada moved to approve the resolution setting a public hearing on June 5, 1980, at 7:30 p.m. on the proposal to rezone Omar Whitlow's property located off Lake Park Boulevard from R-3 Single Family Residential to M-1 Light Industrial. Second by Ald. Platt. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4719. Ald. Waltman moved to suspend the rules and pass the ordinance on second and final reading to rezone property at the intersection of Mill, Busch, Pearl and Liberty Streets from R-3 Single Family Residential to C-1 Neighborhood Commercial and direct it to be published in the Muscatine Journal. Second by Ald. Kemp. Ayes: Ald. Platt, Rada, Hilton, Kemp, Duncan and Waltman. Nays: Ald. Koehrsen. Motion carried and ordinance adopted on second and final reading.

#4720. Ald. Platt moved to approve the ordinance on second reading amending Sections 9-18-1 (B), 9-18-13, and 9-19-3 (I), (J) and (K) of the Zoning Ordinance. Second by Ald. Rada.

Ald. Platt questioned why the six feet requirement was placed on the fence. Steve Boka, Building and Zoning Administrator, stated that City fence requirements now require fences to be no higher than six feet and that it was felt a lower fence might encourage children to try to climb the fences.

Vote - All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance approved on second reading.

#4721. Ald. Duncan moved to receive and file the letter from K & B Pools objecting to the 6 feet fence requirement for swimming pools. Second by Ald. Hilton. All ayes; motion carried.

#4722. Ald. Waltman moved to approve the ordinance on 2nd reading to establish procedures for disposing of City property. Second by Ald. Rada. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance approved on second reading.

Mr. Clarence Johnson, 610 Liberty Street, stated that he felt citizens should not have to pay higher sewer rates in the summer for water used that does not go into the sewer such as water used for watering lawns and gardens. Ald. Kemp agreed stating that the summer sewer rates should be based on winter water usage. City Administrator Wolff stated that it would be a problem getting the necessary information on the computer as Muscatine Power and Water is still in the process of getting the City's finance system on its computer and a lot of reprogramming would be required. He added that the loss in revenue would be approximately \$30,000 to \$35,000 and the rest of the rate structure would have to be reviewed to make up the loss in revenue.

#4723. Ald. Platt moved to have a report on basing summer sewer rates on winter water usage given at the June 5th Council meeting. Second by Ald. Kemp. All ayes; motion carried.

#4724. Ald. Duncan moved to approve the ordinance on first reading to adjust the Water Pollution Control sewerage rates. Second by Ald. Platt. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance approved on first reading.

#4725. Ald. Platt moved to approve the ordinance on first reading to adjust refuse collection (garbage) rates. Second by Ald. Koehrsen. Ayes: Ald. Platt, Koehrsen, Rada, Hilton, Duncan and Waltman. Nays: Ald. Kemp. Motion carried and ordinance approved on first reading.

Ald. Kemp explained that his nay vote on this ordinance was due to the fact that he disagrees with the senior citizen discount because he feels it should be based on income.

#4726. Ald. Hilton moved to approve the resolution approving plans, specifications, contract documents and cost estimates for Liberty, Division and Reed Street Improvements. Second by Ald. Duncan. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4727. Ald. Duncan moved to approve the resolution approving plans, specifications, form of contract and cost estimates for the Weed Park Pool Renovation Project. Second by Ald. Kemp. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4728. Ald. Waltman moved to approve the resolution setting a second public hearing for the third year Comprehensive Block Grant Small Cities application for June 5, 1980, at 7:30 p.m. Second by Ald. Hilton. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4729. Ald. Rada moved to approve the resolution accepting completed work under the Musser Park Improvement Project Contract #2 and authorizing final payment. Second by Ald. Hilton. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4730. Ald. Platt moved to approve the resolution directing the Building Official to take bids and award contract for the demolition of 1516 New Hampshire Street. Second by Ald. Koehrsen. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4731. Ald. Hilton moved to approve the resolution directing the Building Official to take bids and award contract for demolition of 505 Liberty Street. Second by Ald. Rada. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4732. Ald. Waltman moved to approve the resolution directing the Building Official to take bids and award contract for the demolition of 1902 Oneida Street. Second by Ald. Duncan. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4733. Ald. Duncan moved to appoint the City Engineer's Office as the engineers for the proposed Houser Street and Sewer Improvement Project. Second by Ald. Hilton. All ayes; motion carried.

#4734. Ald. Hilton moved to approve the preliminary resolution pursuant to Section 384.42 of the Iowa Code covering Houser Street and Sewer Improvement Project. Second by Ald. Koehrsen. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4735. Ald. Duncan moved to approve the resolution approving and adopting preliminary plans and specifications, plat and schedule for Houser Street and Sewer Improvement Project. Second by Ald. Koehrsen. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4736. Ald. Duncan moved to approve the proposed resolution of necessity for the Houser Street and Sewer Improvement Project. Second by Ald. Rada. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4737. Ald. Hilton moved to approve the rehabilitation grant in the amount of \$5,000 and forgivable loan in the amount of \$5,000 for Case #69. Second by Ald. Kemp. All ayes; motion carried.

#4738. Ald. Koehrsen moved to approve the rehabilitation grant in the amount of \$5,000 and forgivable loan in the amount of \$2,500 for Case #70. Second by Ald. Rada. All ayes; motion carried.

#4739. Ald. Platt moved to approve the rehabilitation grant in the amount of \$5,000 and forgivable loan in the amount of \$5,000 for Case #71. Second by Ald. Waltman. All ayes; motion carried.

#4740. Ald. Rada moved to approve the agreement between the City and Iowa East Central T.R.A.I.N. for the mini-rehab program. Second by Ald. Kemp. All ayes; motion carried.

#4741. Ald. Waltman moved to approve the certification of applicants under Civil Service for the positions of Equipment Operator I, Park Grounds-

keeper and Treatment Plant Leadworker. Second by Ald. Hilton. All ayes; motion carried.

#4742. Ald. Rada moved to approve the resolution accepting completed work under Mill/Evans Street Improvement Project and authorizing final payment. Second by Ald. Hilton. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4743. Ald. Duncan moved to approve the resolution to amend the option agreement with Seldin Development Corporation for the sale of Central Junior High site. Second by Ald. Platt. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4744. Ald. Waltman moved to receive and file communications received with the addition of the Police Department monthly report; the letter from John Fifer, Robert and Dorothy Pape and Steve Pulliam regarding the Board of Water and Light Trustees; and the letter from John Fifer regarding the relocation claim of Donald Knapp. Second by Ald. Platt. All ayes; motion carried.

Mayor Schauand suggested that she contact Mr. Knapp concerning the relocation claim to get his feelings on the matter. Ald. Platt stated that he considered the matter closed, but that if she wished to contact him she may.

#4745. Ald. Kemp moved to approve bills totaling \$431,967.54 and authorize the Mayor and City Clerk to issue warrants for the same. Second by Ald. Rada. All ayes; motion carried.

Ald. Hilton reported that she had attended the Power and Water meeting last week and that a communication regarding that meeting was on their desks.

Ald. Kemp reported that he had received a request to have some sort of warning placed on the curve going up the hill on Fifth Street and requested staff's recommendation on this.

City Administrator Wolff stated that a letter from the Iowa League of Municipalities was given to Council as a reminder for them to submit a list of items they considered of major concern for the League and legislature in the future. He added that he will compile the information and forward it to the League.

City Administrator Wolff also stated that a preliminary Capital Improvement Program for 1980/81 and the following five years was submitted to Council for their information. He added that Council will be discussing the Capital Improvement Program at the June In-Depth meeting.

City Administrator Wolff requested that Council meet in Executive Session following the regular Council meeting.


Mayor Schauand urged Council to participate in the memorial services and reminded them that Buddy Poppy Week is coming up.

#4746. Ald. Kemp moved to go into Executive Session to discuss the lawsuit concerning the property owned by Mrs. Gaeta dating back to the urban renewal

program. Second by Ald. Platt. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried.

#4747. Ald. Platt moved to go out of Executive Session. Second by Ald. Waltman. All ayes; motion carried.

#4748. Ald. Platt moved to adjourn the meeting. Second by Ald. Waltman. All ayes; motion carried.


Evelyn L. Schauand, Mayor

Attest:


Soren Wolff, City Clerk