

MINUTES

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - June 5, 1980 - 7:30 p.m.

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

The opening prayer was given by Pastor Harley Schull of the Church of the Nazarene.

The Pledge of Allegiance was given.

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

PUBLIC HEARING

Mayor Schau land stated the purpose of the public hearing was to hear citizen comments on the Third Year Community Development Block Grant Application in the amount of \$565,400 for the Franklin School project area.

A written petition against this application was received from Mr. and Mrs. Robert Pape, 407 West Second Street.

Mr. John Fifer, 1005 Iowa Avenue, was present to present a written petition against the application.

#4749. Ald. Duncan moved to close the public hearing. Second by Ald. Hilton. All ayes; motion carried.

PUBLIC HEARING

Mayor Schau land announced the public hearing was being held to receive input from citizens on the proposed rezoning of property owned by Omar Whitlow from R-3 Single Family Residential to M-1 Light Industrial.

Atty. Pete Petersen, 415 Iowa Avenue, was present representing Mr. Whitlow.

There were no written petitions for or against.

#4750. Ald. Kemp moved to close the public hearing. Second by Ald. Rada. All ayes; motion carried.

Mayor Schau land announced the Citizen of the Month is Bill French for many years of faithful service to the Boy Scouts of Muscatine.

PUBLIC HEARING

Mayor Schauand announced the purpose of the public hearing was to receive comments from citizens on the proposed Special Assessment of Houser Street Paving Project.

Mr. Bill Last, representing Marquette Home Club, stated that a survey of all property owners on Houser Street had been done by this organization and the results were as follows:

3.8% would accept the assessment without objection.

50% would accept the assessment with three objections:

1. Engineering costs would be deleted from the cost to be assessed;
2. Sidewalk installation would be delayed for three construction years;
3. Any under bid would be shared between the City and property owners on a 50-50 basis.

46.2% wanted the street as it is with the embargo to remain.

Mrs. William Collitz, 3003 Lucas Street, stated that she and her husband were in favor of the paving project and were pleased with their assessment.

Mr. John Fifer, 1005 Iowa Avenue, stated that the City should have requested County and State Highway Commission to share in the cost of the paving.

Written petitions against the paving project were received from John Bird, 1312 Houser Street, and Carl Egger, 1304 Houser Street.

Mr. Bill Last submitted a formal objection on behalf of the Marquette Home Club stating that Houser Street is not a residential street and should not be assessed as such and that a 342% increase in the club's assessment over the last 6 years is intolerable.

#4751. Ald. Waltman moved to close the public hearing and refer this item to #11 on the agenda. Second by Ald. Kemp. All ayes; motion carried.

#4752. Ald. Kemp moved to approve the minutes of the Regular Council Meeting of May 15, 1980. Second by Ald. Rada. All ayes; motion carried.

#4753. Ald. Waltman moved to approve the minutes of the In-Depth Council Meeting of May 8, 1980. Second by Ald. Koehrsen. All ayes; motion carried.

Ms. Ruth Ann Bekker, Community Resource Development Aide for the Muscatine 4-H and Youth Programs and the Muscatine County Extension Office, outlined the activities undergone during past Need a Teen Weeks. She requested that Council proclaim June 23 - 28, 1980, as "Need a Teen Week."

Mr. Bob Lothringer, of the Museum and Art Center Board of Trustees, introduced Mr. William McGonagle, the new Art Center Director.

#4754. Ald. Waltman moved to approve the renewal of the following Beer/Liquor licenses:

Class "C" for John Paul Manjoine, d/b/a Manjoine's Corner Tavern, 226 Walnut Street;

Class "A" for Harold W. Henning, d/b/a Elks Lodge, 413 East Mississippi Drive;

Class "A" and Sunday Sales Permit for Nancy Thayer, d/b/a Geneva Golf and Country Club, 2507 Mulberry Avenue;

Class "A" and Sunday Sales Permit for Darrel W. Miller, d/b/a Veterans of Foreign Wars Club, Inc., 421 Mulberry Avenue.

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

#4755. Ald. Kemp moved to table for thirty days the application for a new Class "C" Beer/Liquor License and Sunday Sales Permit for Robert M. Wilson and Kirk Petersen, d/b/a Riverfront Market, 101 Walnut Street. Second by Ald. Hilton. All ayes; motion carried.

#4756. Ald. Koehrsen moved to approve the resolution approving cigarette permits for the following locations:

Nash Finch Co., d/b/a Sun Mart, 1413 Park Avenue, Muscatine;

Nash Finch Co., d/b/a Sun Mart, 807 Grandview Avenue, Muscatine;

Loyal Order of Moose Lodge, 207 Lake Park Blvd., Muscatine;

Veterans of Foreign Wars Club, Inc., 421 Mulberry Avenue, Muscatine;

Cedar Falls Oil Co., d/b/a Holiday Stationstore, 503 Grandview Avenue, Muscatine;

Nash Finch Co., d/b/a Warehouse Market, 1708 Park Avenue, Muscatine;

Robert Wilson and Kirk Petersen, d/b/a Riverfront Market, Muscatine;

Clare Paxton, d/b/a Paxton's Buffeteria, 418 Grandview Avenue, Muscatine;

Laske Corporation, d/b/a Bob's Supermarket, 1514 Isett Avenue, Muscatine;

Casey's General Store, 913 Mississippi Drive, Muscatine;

John Manjoine, d/b/a Manjoine's Corner Tavern, 226 Walnut Street, Muscatine; and

Norbert Loos, d/b/a Loos' Clark Super "100", 711 Park Avenue, Muscatine.

Second by Ald. Rada. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4757. Ald. Hilton moved to approve the ordinance on third and final reading amending Sections 9-18-1(B), 9-18-13 and 9-13-3(I)(J)(K) of the Zoning Ordinance and direct it to be published in the Muscatine Journal. Second by Ald. Waltman. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance adopted on third and final reading.

#4758. Ald. Kemp moved to approve the ordinance on third and final reading to establish procedures for disposal of City property and direct it to be published in the Muscatine Journal. Second by Ald. Rada. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance adopted on third and final reading.

#4759. Ald. Duncan moved to declare the list of equipment submitted as surplus property to be sold at a public auction on July 19, 1980. Second by Ald. Waltman. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried.

#4760. Ald. Koehrsen moved to approve the ordinance on second reading to adjust Water Pollution Control sewerage rates and discuss this item at the In-Depth Council Meeting. Second by Ald. Duncan. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance approved on second reading.

#4761. Ald. Waltman moved to approve the ordinance on second reading to adjust refuse collection rates. Second by Ald. Rada. Ayes: Ald. Koehrsen, Rada, Hilton, Duncan and Waltman. Nays: Ald. Kemp. Motion carried and ordinance approved on second reading.

City Administrator Wolff gave a report on bids received for the Liberty, Division and Reed Street Improvements Project. He recommended the contract be awarded to Flynn Company in the amount of \$341,613.00.

#4762. Ald. Duncan moved to approve the resolution awarding contract to Flynn Company in the amount of \$341,613.00 for the Liberty, Division and Reed Street Improvements Project. Second by Ald. Hilton. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4763. Ald. Rada moved to approve the ordinance on first reading to amend the Zoning Ordinance on certain property owned by Omar Whitlow located on Lake Park Blvd. from R-3 Single Family Residential to M-1 Light Industrial. Second by Ald. Waltman. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance approved on first reading.

#4764. Ald. Hilton moved to approve the resolution approving the third year Discretionary Community Development Block Grant Application in the amount of \$565,400 for the Franklin School project area. Second by Ald. Duncan. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4765. Ald. Duncan moved to receive and file the letters from Mr. and Mrs. Robert Pape and Mr. John Fifer relating to the Community Development Block Grant application. Second by Ald. Kemp. All ayes; motion carried.

Mr. Kevin Whittaker, Planning Administrator, reviewed the plans for the Muscatine Tower Apartments.

#4766. Ald. Duncan moved to approve the resolution approving final plat for the Muscatine Tower Apartments submitted by Seldin Development Company. Second by Ald. Rada. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4767. Ald. Waltman moved to approve the resolution approving the sale of City property known as the Central Jr. High site at Iowa and Sixth Street to Muscatine Tower Apartments, LTD. as designee of Seldin Development and Management Company for the sum of \$15,650. Second by Ald. Kemp. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4768. Ald. Duncan moved to approve the resolution authorizing the execution of the special warranty deed to Muscatine Tower Apartments, LTD. Second by Ald. Kemp. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4769. Ald. Waltman moved to approve the resolution appointing the auditing firm of Carver, Michaels and Company as the auditors for the City of Muscatine to audit the fiscal year ending June 30, 1980. Second by Ald. Duncan. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4770. Ald. Rada moved to approve the agreement between Carver, Michaels and Company and the City of Muscatine for auditing services for fiscal year 1979/80. Second by Ald. Hilton. All ayes; motion carried.

#4771. Ald. Rada moved to set a public hearing on June 19, 1980, at 7:30 p.m. to amend the 1979/80 City budget. Second by Ald. Koehrsen. All ayes; motion carried.

#4772. Ald. Kemp moved to approve the lease between the City of Muscatine and the Coast Guard Auxiliary #9-4 for the leasing of certain riverfront property to conduct beer sales. Second by Ald. Waltman. Five ayes; one nay (Duncan). Motion carried.

Ald. Duncan stated that he was against this lease because he felt beer should not be sold in City parks.

#4773. Ald. Rada moved to approve the request for Central Soya to sublease the grain elevators on Mississippi Drive to Grain Processing Corporation subject to termination of this sublease on July 1, 1980. Second by Ald. Duncan. All ayes; motion carried.

City Administrator Wolff gave a report on the bids received for the construction of restrooms at Fuller Memorial Park.

#4774. Ald. Kemp moved to accept the bid of Recreation and Athletic Products in the amount of \$9,975.00 for the construction of restrooms at Fuller Memorial Park. Second by Ald. Waltman. All ayes; motion carried.

#4775. Ald. Duncan moved to refer the request from HON Industries for the vacation and sale of the westerly 60 feet of the alley in Block #61 near the intersection of 4th Street and Orange Street to the Plan and Zoning Commission for their review and recommendation. Second by Ald. Kemp. All ayes; motion carried.

#4776. Ald. Rada moved to refer the petition to annex to the City from John Hintermeister to the Plan and Zoning Commission and request the Commission to obtain input and information from the County Board of Supervisors and representatives of the Sweetland Township. Second by Ald. Hilton. All ayes; motion carried.

#4777. Ald. Waltman moved to approve the fair market value of the six lots located in the Franklin School area as established by the Community Development Director's appraisals and that the Community Development Director be authorized to proceed in taking bids on the lots as outlined in the public notice. Second by Ald. Hilton. All ayes; motion carried.

#4778. Ald. Duncan moved to amend the assessment roll in the same proportion as the assessments were established in the proposed resolution of necessity if the bids come in under the engineers estimate for the Houser Street and Sewer Improvement Project. Second by Ald. Kemp. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried.

✓ #4778. Ald. Kemp moved to delay the sidewalk installation in the Houser Street and Sewer Improvement Project until after three construction years (1983). Second by Ald. Hilton. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried.

#4779. Ald. Duncan moved to approve the resolution overruling objections for the Houser Street and Sewer Improvement Project. Second by Ald. Kemp. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4780. Ald. Rada moved to approve the resolution of necessity as amended for the Houser Street and Sewer Improvement Project. Second by Ald. Hilton. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4781. Ald. Kemp moved to approve the resolution ordering preparation of detailed plans, specifications, notice of hearing, notice to bidders and form of contract for the Houser Street and Sewer Improvement Project. Second by Ald. Waltman. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4782. Ald. Waltman moved to approve the resolution accepting completed work and directing final payment to Rock Island Sheet Metal Works for renovation of the ventilation system at the Water Pollution Control Plant. Second by Ald. Rada. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4783. Ald. Duncan moved to approve the resolution accepting completed work and directing final payment to Nott Company for the Bulk Lime Storage Facility. Second by Ald. Rada. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4784. Ald. Kemp moved to approve the resolution accepting the low bid submitted by Hanson Concrete Company of Washington, Iowa, in the amount of \$278,972.96 for replacement of the Isett Avenue Bridge over Geneva Creek. Second by Ald. Rada. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4785. Ald. Duncan moved to approve the request by Muscatine Cablevision to request Iowa Department of Transportation for cable crossings and placements along and over State highways in the City of Muscatine. Second by Ald. Kemp. All ayes; motion carried.

#4786. Ald. Waltman moved to approve the ordinance on first reading to increase landfill charges. Second by Ald. Hilton. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and ordinance approved on first reading.

#4787. Ald. Waltman moved to approve the resolution approving and accepting right-of-ways and utility easements of the Oldfield Subdivision. Second by Ald. Duncan. All ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and resolution duly adopted.

#4788. Ald. Hilton moved to receive and file communications received with the addition of the Minutes of the Levee Advisory Commission and a letter from the Chicago, Milwaukee, St. Paul and Pacific Railroad Company. Second by Ald. Koehrsen. All ayes; motion carried.

#4789. Ald. Koehrsen moved to approve bills totaling \$524,271.91 and authorize the Mayor and City Clerk to issue warrants for the same. Second by Ald. Rada. All ayes; motion carried.

Ald. Koehrsen reported on her attendance at the meeting of the Board of Water and Light Trustees on May 27, 1980.

Ald. Koehrsen questioned what the status of hiring a City Attorney was. City Administrator Wolff stated that the deadline for applications is June 15th.

Ald. Rada reported that he had received a request for a street light in the middle of the block on Webster Street.

Ald. Rada stated that equipment is parked in the alley behind the 600 block of Leroy Street and that the road from Leroy up Amherst toward town is experiencing dust problems.

Ald. Rada questioned where people who live in trailer parks should go during a storm. Mayor Schauland stated that Bob Fielder, the Civil Defense Director, is investigating this matter.

Ald. Hilton questioned how long the embargo on Houser Street is to remain. City Administrator Wolff stated that the embargo could be lifted, but that the City will have to take all traffic off of this street during construction. Ald. Koehrsen stated that she felt a detour should be used during construction.

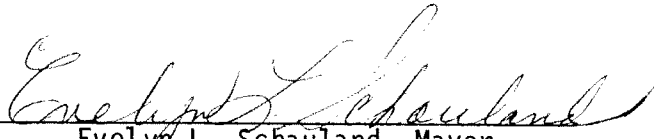
Ald. Kemp reported that there is a weed problem in the vacant lot across from Brook Street Park and in front of the 1400 block of Park Avenue as well as junk in this location.

Ald. Kemp reported that he had received a complaint of excessive noise on East Second Street past the Mark Twain Overlook and that citizens of this area would like to know when the noise ordinance would be enforced. City Administrator Wolff stated that he has received the contract for lease of the noise measuring equipment and a contract for training for police officers and judges.


Ald. Waltman reported that he had received a complaint on speeding and noise in Sunrise Addition on Wier and Bidwell.

Mayor Schauland questioned what is being done on the residence at 315 Cedar Street. Steve Boka, Building and Zoning Administrator, stated that the porch has been removed and the property owner has been given 60 days to repair the remaining deficiencies.

#4790. Ald. Waltman moved to adjourn the meeting. Second by Ald. Rada. All ayes; motion carried.


Evelyn L. Schauland, Mayor

Attest:


Soren Wolff, City Clerk