

CITY OF MUSCATINE

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - July 2, 1981 - 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 City Attorney Harvey Allbee, Jr.

The Pledge of Allegiance was given.

PUBLIC HEARING

Mayor Schauland announced the purpose of the public hearing was to receive public comment on the proposed sale of City owned property on the corner of Second and Elm Streets.

There were no oral appearances for or against.

There were no written petitions for or against.

#5581. Ald. Duncan moved to close the public hearing. Second by Ald. Rada. All ayes; motion carried.

PUBLIC HEARING

Mayor Schauland announced the public hearing was being held to receive public comment on the matter of revoking the Sunday Sales Permit for Drinks, Inc., d/b/a Dew Drop Inn based on the premise that the facility does not meet the State requirement of 50% of the Sunday sales being non-alcoholic.

Atty. Robert DeKock, representing Dew Drop Inn, stated that the owner is willing to voluntarily relinquish their Sunday Sales Permit.

There were no written petitions for or against.

#5582. Ald. Waltman moved to close the public hearing. Second by Ald. Kemp. All ayes; motion carried.

#5583. Ald. Platt moved to approve the Minutes of the Regular Council Meeting of June 18, 1981. Second by Ald. Hilton. All ayes; motion carried.

#5584. Ald. Koehrsen moved to approve the renewal of a Class "B" Beer Permit and Sunday Sales Permit for Max Brewer Corporation, d/b/a Happy Joe's Pizza and Ice Cream Parlor, 203 Lake Park Blvd., and a Class "C" Beer/Liquor License for Mary Ellen Beck, d/b/a Triangle Inn, 201 West Second Street. Second by Ald. Rada. All ayes; motion carried.

#5585. Ald. Rada moved to approve the Resolution approving Cigarette Permits for: Sambo's Restaurant, 1903 Park Avenue; Muscatine Community College, 152 Colorado Street; Cheker - Imperial Oil Co., 1019 Hershey Avenue; Duane Hartman, d/b/a Hilltop Tap, 929 Lucas Street; Walgreens, Muscatine Mall; Doug Woods, d/b/a Sun Mart Gas, 5th and Cedar Streets; Thomas Pettitt, d/b/a Pettitt Restaurant, 1403 Oregon Street; Donald Lichtenwald, d/b/a Mulberry Recreation Center, 519 Mulberry Avenue; C.J. Wester, d/b/a Wester Drug, 315 E. 2nd Street; Dan De Enterprises, d/b/a HON Industries, 301 Oak Street; Dan De Enterprises, d/b/a Dan De Restaurant, 935 Grandview Avenue; Dan De Enterprises, d/b/a House of Lords, 2402 Park Avenue; and Dan De Enterprises, d/b/a Holiday Inn, Hwy. 61 and 38 North. Second by Ald. Waltman. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and Resolution duly adopted.

Mayor Schauand submitted the name of Jack McConnaha to replace Clifford Bennett on the Human Rights Commission.

#5586. Ald. Platt moved to approve the appointment of Jack McConnaha to the Human Rights Commission. Second by Ald. Hilton. All ayes; motion carried.

Mayor Schauand submitted the name of Robert Petersen for reappointment to the Museum and Art Center Board of Trustees.

#5587. Ald. Kemp moved to approve the reappointment of Robert Petersen to the Museum and Art Center Board of Trustees. Second by Ald. Duncan. All ayes; motion carried.

Mayor Schauand submitted the following names for appointment to CACIM for 1981-82:

1st Ward: Gary Hepker, Bibiane Stender, Jean Martin, Mark Butterworth, and Hayde Garcia.

2nd Ward: Ib Petersen, Gayle Sayles, Steve Kent, Van Snyder and Pam Krone.

3rd Ward: Pastor Wes Snodgrass, Sal LoBianco, Bill Clark, Shirley Smith and Stephen Webber.

4th Ward: Linda Small, Ray Taylor, Ken Bradley, Marilyn Pilgrim and Yolanda Aguirre.

5th Ward: Doris Trent, Larry Ulch, Marie Montz, Marianna Mathiot and Kaye Peterson.

#5588. Ald. Platt moved to approve the appointments to CACIM for 1981-82 as submitted by Mayor Schauand. Second by Ald. Kemp. All ayes; motion carried.

Mayor Schauand announced the "Honored Citizen of the Month" is Mrs. Delores Hoben for many years service to the hearing impaired.

Mr. I.H. Petersen, 218 W. 3rd, President of Muscatine Development Corporation, spoke in favor of the rezoning request on North Highway 38 by R.J. Dick, Inc. He stated that the Board of Directors voted unanimously to support this proposed development and rezoning.

Mr. Alpha Morehouse, R.R. 1, Box 177, requested Council to give this rezoning request careful consideration as it will be setting a precedent for future development in this area.

Ms. Karen White, R.R. 1, Box 165, spoke against the proposed rezoning stating that this development will decrease the value of homes in this area and will create unsafe traffic conditions.

Mr. Harvey Gabbard, R.R. 1, Box 164, stated that he is also concerned about future development and the type of industry which will locate in this area.

#5589. Ald. Waltman moved to approve the Ordinance on third and final reading to rezone thirteen (13) acres on North Highway 38 to M-1 Light Industrial and direct it to be published in the Muscatine Journal. Second by Ald. Duncan. Ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Nays: Ald. Platt. Motion carried and Ordinance adopted on third and final reading.

Mayor Schauland suggested that the Ordinance amendment to change hours of operation for parking meters and attendant parking lots be amended to clarify that that they will not be enforced on holidays when City Hall is closed.

#5590. Ald. Kemp moved to amend the Ordinance to change hours of operation of parking meters and attendant parking lots to clarify that they will not be enforced on holidays when City Hall is closed. Second by Ald. Rada. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried.

#5591. Ald. Duncan moved to approve the Ordinance on second reading as amended to change hours of operation for parking meters and attendant parking lots. Second by Ald. Waltman. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and Ordinance approved on second reading.

#5592. Ald. Koehrsen moved to approve the Ordinance on second reading to rezone property at the end of East 8th Street from M-2 to R-4. Second by Ald. Rada. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and Ordinance approved on second reading.

Ald. Hilton questioned if people are being ticketed for parking in the public right-of-way between the sidewalk and curb if a permit has not been granted. Police Chief Myhr stated that tickets are being issued.

Ald. Koehrsen stated that cars are parking in yards to avoid this and requested that this problem be addressed.

#5593. Ald. Koehrsen moved to approve the Resolution setting public hearing regarding lease of City right-of-way at 301 West Second Street for parking purposes. Second by Ald. Hilton. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and Resolution duly adopted.

#5594. Ald. Rada moved to approve the Resolution providing for the transfer of property at Second and Elm Streets to Mr. E.L. Dusenberry for the sum of \$725.00. Second by Ald. Duncan. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and Resolution duly adopted.

#5595. Ald. Rada moved to approve the Resolution approving an executed deed for the transfer of property at Second and Elm Streets to Mr. E.L. Dusenberry. Second by Ald. Waltman. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and Resolution duly adopted.

#5596. Ald. Waltman moved to approve the Resolution establishing fees for the inspection of residential rental units within the City limits of Muscatine. Second by Ald. Kemp. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and Resolution duly adopted.

#5597. Ald. Duncan moved to approve the Resolution authorizing the publication of the notice of sale of \$118,000 Special Assessment Bonds for the Houser Street Improvement Project. Second by Ald. Koehrsen. Ayes: Ald. Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Nays: Ald. Platt. Motion carried and Resolution duly adopted.

#5598. Ald. Duncan moved to accept the additional bequest from the Clarence Crees Estate in the amount of \$20,000 and that it be appropriated for the Weed Park Renovation Project. Second by Ald. Kemp. Six ayes; one nay (Ald. Rada). Motion carried.

#5599. Ald. Waltman moved to authorize the City Administrator to execute the permits for Northwestern Bell to excavate on Iowa 22 (Cedar Street). Second by Ald. Rada. All ayes; motion carried.

#5600. Ald. Duncan moved to approve the income guidelines and 50% cost sharing formula amendment to the Mini-Rehab Summer Paint Program. Second by Ald. Hilton. Six ayes; one nay (Ald. Kemp). Motion carried.

#5601. Ald. Waltman moved to approve Housing Rehabilitation Application #098 for a \$5,000 grant and a \$1,000 forgivable loan. Second by Ald. Rada. All ayes; motion carried.

#5602. Ald. Platt moved to accept the bid from Norris Motor Sports for the purchase of two (2) motorcycles for the Police Department in the amount of \$5,158. Second by Ald. Koehrsen. All ayes; motion carried.

#5603. Ald. Koehrsen moved to approve the Resolution setting public hearing on the issuance of Clinic Revenue Bonds, Series 1981 (Arbisser and Kealey Clinic Project) for August 6, 1981, at 7:30 p.m. Second by Ald. Platt.

#5604. Ald. Duncan moved to amend the Resolution to change the wording to read the same as the Memorandum of Agreement. Second by Ald. Kemp. All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried.

Vote on Resolution - All ayes: Ald. Platt, Koehrsen, Rada, Hilton, Kemp, Duncan and Waltman. Motion carried and Resolution duly adopted as amended.

#5605. Ald. Duncan moved to receive and file items A through I. Second by Ald. Platt. All ayes; motion carried.

#5606. Ald. Kemp moved to approve bills totaling \$359,876.16 and authorize the Mayor and City Clerk to issue warrants of the same. Second by Ald. Hilton. All ayes; motion carried.

#5607. Ald. Platt moved to accept the voluntary surrender of the Sunday Sales Permit for Drinks, Inc., d/b/a Dew Drop Inn. Second by Ald. Rada. All ayes; motion carried.

Ald. Platt reported that Muscatine Cablevision has opened a ditch at Pearlview and Devitt and children are playing in it.

City Council agreed to meet with the Museum and Art Center Board of Trustees at the next In-Depth Council Meeting.

Ald. Kemp stated that he objects to the raise in rates by Muscatine Cablevision since some citizens have not yet had it installed in their homes.

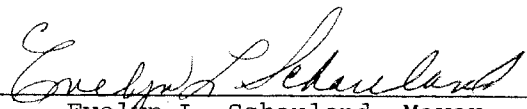
Ald. Duncan announced that he will be a candidate in the fall election.

City Council agreed to have the Community Development Director try to negotiate with the owners of the property at 2nd and Iowa to get something done with this property.

Mayor Schauland encouraged citizens to attend the 4th of July parade.

City Attorney Allbee stated that the Dew Drop Inn is entitled to a refund based on the quarters remaining in the year.

#5608. Ald. Platt moved to adjourn the meeting. Second by Ald. Kemp. All ayes. motion carried.


Evelyn L. Schauland, Mayor

Attest:


Soren Wolff, City Clerk