

CITY OF MUSCATINE

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - March 1, 1984 - 7:30 p.m.

The meeting was called to order by Mayor Donald R. Platt.

Roll Call: Councilmembers Sayles, York, Amerine, Powell, Waltman, and Kemp present. Councilmember Kite absent.

The opening prayer was given by Councilmember York.

The Pledge of Allegiance was given.

#6680. Councilmember Waltman moved to approve the Minutes of the February 9, 1984 In-Depth Council Meeting. Seconded by Councilmember Amerine. All ayes; motion carried.

#6681. Councilmember Sayles moved to approve the Minutes of the February 16, 1984 Regular Council Meeting. Seconded by Councilmember York. All ayes; motion carried.

Don Hecht, representing Muscatine Elks Lodge #304, addressed Council on the Iowa State Elks Association Spring Convention to be held in Muscatine on May 4th and 5th. He requested use of Parking Lot #5 on May 5th with the City providing a lot attendant until 12:30 a.m. Sunday May 6th with the estimated cost of \$92.80 to be reimbursed to the City. Additionally, he requested that Elk stickers be recognized in the downtown parking lots and meters on May 4th and 5th to allow free parking for Elks convention participants.

#6682. Councilmember Powell moved to approve the above requests from the Muscatine Elks Lodge for their convention on May 4th and 5th. Seconded by Councilmember Kemp. All ayes; motion carried.

#6683. Councilmember Amerine moved to approve the applications for a new Class "C" Liquor License and Sunday Sales Permit for Diamond Dave's Taco Co., 1903 Park Avenue - John E. Diaz and for a new Class "C" Beer-Wine License for Peking Palace Restaurant, 1107 Grandview Avenue - Peking Palace Ltd. Seconded by Councilmember York. All ayes; motion carried.

#6684. Councilmember Waltman moved to approve the applications for renewal of Class "C" Liquor License for Elms Inc., 2108 Grandview Avenue and renewal of Class "C" Beer and Sunday Sales Permit for Pester Marketing Company, Clay and Gobble Streets. Seconded by Councilmember Sayles. All ayes; motion carried.

#6685. Councilmember Kemp moved to table until the next Council meeting the application for new Class "B" Beer and Sunday Sales Permit for Riverbend Court Rooms, 2617 Park Avenue - Lora Inc. Seconded by Councilmember York. All ayes; motion carried.

#6686. Councilmember York moved to approve the Resolution for Cigarette Permit for the Elks Lodge, 413 E. Mississippi Drive. Seconded by Councilmember Waltman. All ayes: Councilmembers Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#6687. Councilmember Sayles moved to approve the Peddlers Permit for Marko A. Laviada to sell ice cream items from a truck on City streets. Seconded by Councilmember Kemp. All ayes; motion carried.

#6688. Councilmember Waltman moved to approve the proclamations declaring the Month of March as "Chemical Awareness Month" and the week of March 4-10, 1984 as "Save Your Vision Week." Seconded by Councilmember Powell. All ayes; motion carried.

Mayor Platt submitted the names of Charles Kloster and Steve Hamman to serve on the Housing Code Board of Appeals.

#6689. Councilmember York moved to approve the above appointments. Seconded by Councilmember Sayles. All ayes; motion carried.

Mayor Platt presented a Certificate of Merit to Evy Lange for his many years of helping others especially in his work with youth and adult athletic programs in the community.

Kevin Whittaker, Planning Administrator, reviewed the location and current status of the property proposed for the Johnson Two (2) Lot Subdivision.

Harvey Allbee Jr., City Attorney, reviewed the duties of Council under the Subdivision Ordinance if the proposed subdivision conforms to requirements of the ordinance.

Tom McDonald, Route 6, spoke against the proposed subdivision stating he wished to prevent further development in this area to avoid future problems with complaints of his hog operation.

Kevin Curry, Route 6, expressed his concerns about the drainage in the area, noting that if the drainage ditch would be tampered with, it would cause drainage problems on his property.

There was further discussion regarding zoning of the area and further requirements for construction on this property.

#6690. Councilmember Sayles moved to approve the Resolution approving the Johnson Two (2) Lot Subdivision. Seconded by Councilmember Amerine. All ayes: Councilmembers Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#6691. Councilmember York moved to approve the Ordinance on final reading to amend the City Code to prohibit possession of open containers or "consumption" of beer or alcoholic beverages on public property and that it be published in the Muscatine Journal as required. Seconded by Councilmember Kemp.

Councilmember Kemp stated he had concerns on how this ordinance would be enforced and that he would move for repeal of the ordinance if improperly enforced.

Vote - All ayes: Councilmembers Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Ordinance approved on third and final reading.

#6692. Councilmember Powell moved to approve the ordinance on final reading to amend Section 5-18-35 regulating Cable Television Systems and that it be published in the Muscatine Journal as required. Seconded by Councilmember York. All ayes: Councilmembers Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Ordinance approved on third and final reading.

Soren Wolff, City Administrator, reviewed provisions of issuance of Industrial Revenue Bonds and the changes being considered by Congress to limit amounts of these bonds that can be issued by each state. He noted that approval of the proposed Resolution for Memorandum of Agreement to Issue Industrial Revenue Bonds for Ring King Visibles would not be limiting Council from consideration of other projects since the Memorandum of Agreement does not obligate the City to the issuance of these bonds.

Attorney Charles Coulter, representing Ring King Visibles, requested Council to proceed with approval of the Memorandum of Agreement which would allow for capital expenses incurred after this approval to be financed in the future by the Industrial Revenue Bonds if approved.

#6993. Councilmember Waltman moved to approve the Resolution authorizing the execution of the Memorandum of Agreement with Ring King Visibles to issue up to \$4 million in Industrial Revenue Bonds for expansion to the Ring King Visibles Project. Seconded by Councilmember Kemp. All ayes: Councilmembers Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#6994. Councilmember Powell moved to approve the Resolution accepting the conveyance of property on Washington Street from the Board of Water and Light Trustees to the City. Seconded by Councilmember Sayles. All ayes: Councilmembers Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#6995. Councilmember Kemp moved to approve the Revised 1984 Flood Manual. Seconded by Councilmember Amerine. All ayes; motion carried.

#6996. Councilmember Sayles moved to approve the Housing Rehabilitation Loan Application #130 A & B. Seconded by Councilmember Powell. All ayes; motion carried.

#6997. Councilmember Waltman moved to accept the high bid from Robert Bierman, Jr. in the amount of \$7,200 for the rental of the Cemetery Farm on Mulberry Avenue. Seconded by Councilmember York. All ayes; motion carried.

#6998. Councilmember Sayles moved to authorize the Great River Pedalwheelers to utilize Week Park on May 27, 1984 for the 6th Annual Melon City Criterium and the park be closed to vehicle traffic. Seconded by Councilmember Amerine. All ayes; motion carried.

#6999. Councilmember Waltman moved to award the bid for a new salt spreader to Hawkeye Truck Equipment Company for a Fontaine Spreader in the amount of \$7,574.90. Seconded by Councilmember Powell. All ayes; motion carried.

#7000. Councilmember Kemp moved to accept the bid from Herman M. Brown to lease three (3) dozers at the Muscatine Landfill at a monthly rate of \$12,800. Seconded by Councilmember York.

City Administrator Wolff clarified that the bid included the lease of two new units and the continuation of lease of one existing unit one year old. He also noted that insurance costs were included in this amount and that replacement equipment is provided in event of breakdown.

Vote - All ayes; motion carried.

#7001. Councilmember Amerine moved to rescind the previous action to set the public hearing for March 15, 1984 and reschedule the public hearing on the Industrial Connector for April 5, 1984 and notice be published in the Muscatine Journal. Seconded by Councilmember Powell. All ayes; motion carried.

City Administrator Wolff reviewed the notice required to be published for the public hearing on the 1984/85 proposed budget.

#7002. Councilmember Amerine moved to approve the Resolution setting a public hearing on the proposed 1984/85 Budget for March 8, 1984 at 7:00 p.m. Seconded by Councilmember York. All ayes: Councilmembers Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#7003. Councilmember Sayles moved that Item A through L be received and filed. Seconded by Councilmember York. All ayes; motion carried.

#7004. Councilmember Waltman moved to approve bill totalling \$569,633.05 and the Mayor and City Clerk be authorized to issue warrants of the same. Seconded by Councilmember Amerine. All ayes; motion carried.

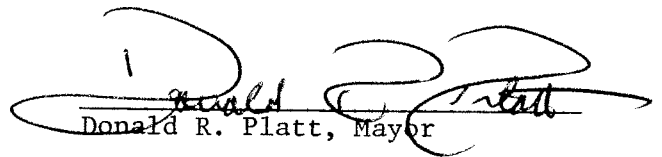
Harvey Allbee, City Attorney, commended the Muscatine High School students in attendance especially noting John Sayles, a member of the Muscatine Swim Team. He commended the team and individuals for their achievements at the State Swim Meet.

City Administrator Wolff reported on a memo from Sgt. Hammer of the Police Department as a member of the Governor's Highway Safety Committee, noting that a grant of up to \$5,000 may be available.

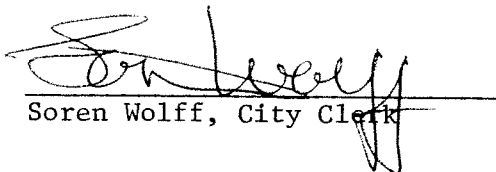
Police Chief Jerome Tesmond reported that the need for grant funds would be evaluated before grant would be submitted.

Council concensus was given to support the grant consideration.

#7005. Councilmember Waltman moved to adjourn the meeting. Seconded by Councilmember Powell. All ayes; motion carried.


Donald R. Platt, Mayor

Attest:


Soren Wolff, City Clerk