

CITY OF MUSCATINE

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - April 5, 1984 - 7:30 p.m.

The meeting was called to order to Mayor Pro-Tem Gayle Sayles.

Roll Call: Councilmembers Kite, Amerine, Waltman, Kemp, Sayles, and York (7:35) present. Councilmember Powell absent.

The opening prayer was given by City Attorney Harvey Allbee, Jr.

The Pledge of Allegiance was given.

PUBLIC HEARING

Mayor Pro-Tem Sayles announced the public hearing was being held on the proposed Industrial Connector Road Project - Proposed Corridor and Environmental Assessment Statement. She introduced Leonard Brown of the Federal Highway Administration and Bill Nelson from the Iowa Department of Transportation in attendance at the hearing.

Mayor Pro-Tem Sayles read the Public Hearing Brief.

Ray Childs, City Engineer, gave a slide presentation outlining the location of the Highway 61 By-Pass currently under construction and the proposed location of the Industrial Connector. He noted that with this connector trucks enroute to Grain Processing Corporation, Agri Industries, and Continental Grain would no longer need to drive on residential streets to reach their destination and that several of these streets could revert back to residential streets. He noted that the current cost estimate of \$1.15 million may be increased to \$1.25 or \$1.30 million depending on several factors which are uncertain at this time.

Arlen Wiggs, Community Development Director, reviewed the four parcels of property to be affected by the proposed Industrial Connector. He noted that 1.47 acres of property owned by Muscatine Power and Water, 3.80 acres of Hahn property, 1.10 acres of Northern Gravel property, and 1.77 acres owned by Bernard Dora would be required for a total of 8.14 acres. He reported that Muscatine Power and Water has indicated they will donate their portion of the property and that appraisals are currently underway by two appraisal firms for the other three parcels of property.

There were no public comments for or against the proposed project.

#7036. Councilmember Kemp moved to close the public hearing. Seconded by Councilmember Amerine. All ayes; motion carried.

PUBLIC HEARING

Mayor Pro-Tem Sayles announced the public hearing was being held to receive public comment on the request to rezone approximately 100 acres of land from AG-Agricultural to M-1 Light Industrial near Houser Street and Hershey Avenue for the Muscatine Development Corporation.

Kevin Whittaker, Planning Administrator, reviewed the location of this property noting that rail access is available to the site and could be extended to each lot as it was developed. He added that utilities are available for this site and sanitary sewer could be extended to this location. He noted that the Planning and Zoning Commission found this request to be an appropriate use of land and recommended its approval.

Robert Lande, Attorney for the Muscatine Development Corporation, spoke in favor of the rezoning request. He further reviewed plans for this area noting that a center road is planned to run north and south and will cross the railroad tracks so trucks will have access from this area to By-Pass access roads. He noted the Progress Park area is limited in the areas still available and this proposed site is ideally suited for this purpose. He added that this development is planning for the future development of Muscatine in the 1990's.

Councilmember Kemp questioned if this proposed development was compatible with the Sunset Park Housing Project currently under construction in that area.

Attorney Lande noted that the portion of property on Houser may be a buffer or developed commercial to buffer this area from the industrial developments.

Councilmember Kite questioned if a clause could be included that direct By-Pass access not be allowed in the future.

Planning Administrator Whittaker stated that any new access road to the By-Pass would need State approval with City Council concurrence.

There were no public comments against the proposed rezoning.

#7037. Councilmember Waltman moved to close the public hearing. Seconded by Councilmember York. All ayes; motion carried.

#7038. Councilmember Kite moved to approve the Minutes of the March 8, 1984 In-Depth Council Meeting. Seconded by Councilmember Amerine. All ayes; motion carried.

#7039. Councilmember York moved to approve the Minutes of the March 15, 1984 Regular Council Meeting. Seconded by Councilmember Waltman. All ayes; motion carried.

#7040. Councilmember Waltman moved to approve the renewal of the following: Class "C" Beer and Sunday Sales Permit for Hy-Vee, 1903 Park Avenue - Hy-Vee Food Stores, Inc., Class "C" Beer and Sunday Sales Permit for Loos', Inc., 711 Park Avenue - Norbert L. Loos, and Class "C" Liquor License for Boonies, 228 E. 2nd - Entrevest, Inc. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried.

#7041. Councilmember Kite moved to table until the next Council meeting the request for a new Sunday Sales Permit for the Elks Lodge, 413 E. Mississippi Drive - Elks Lodge #304. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried.

#7042. Councilmember Kemp moved to refer Notice of Claim from Mary Lucille Lessenger, R.R.#3, Box 239, Wapello, Iowa to the City's insurance company and City Attorney. Seconded by Councilmember Kite. All ayes; motion carried.

#7043. Councilmember York moved to set Spring Clean Up Week for April 23-27, 1984 and leaf burning from April 7 to May 6, 1984. Seconded by Councilmember Amerine.

Councilmember Kemp questioned how the Clean Up Week would be advertised, noting that better advertising may be needed to make everyone aware of this service.

Soren Wolff, City Administrator, stated that this would be advertised both in the newspaper and on the local radio station. He added that the Chamber of Commerce committee working on clean-up in the community is planning to meet with staff and promotion of this week will be discussed at that time. He further noted that the advertising would be done to attempt to reach as many persons as possible.

Councilmember Waltman commented on the Letter to the Editor in the Muscatine Journal about persons dumping refuse on country roadsides. He asked for everyone's cooperation in keeping both the City and country areas clean.

Vote - All ayes; motion carried.

#7044. Councilmember Kite moved to approve the request for Parade Permit from Our Lady of Guadalupe Mission for Sunday, April 15, 1984 subject to coordinating traffic control with the Police Department. Seconded by Councilmember York. All ayes; motion carried.

#7045. Councilmember Waltman moved to approve the proclamations declaring April 9-13, 1984 as "City Transit Week" and April 8-14, 1984 as "Private Property Week." Seconded by Councilmember Kemp. All ayes; motion carried.

City Administrator Wolff announced that the three new transit buses have been delivered and will be in service by next Monday. He invited Councilmembers to look at the vehicles at the Transit office.

#7046. Councilmember Amerine moved to approve the Ordinance on second reading to amend Section 5-3-18 of the City Code on age for serving liquor. Seconded by Councilmember Waltman. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Ordinance approved on second reading.

#7047. Councilmember Waltman moved that the Resolution be adopted approving the location and design of the Industrial Connector Road with the provision that approval is subject to not receiving adverse written statements with ten (10) days of passage. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

#7048. Councilmember Amerine moved to approve the Ordinance on first reading to rezone approximately 100 acres of property from AG-Agricultural to M-1 Light Industrial at Hershey and Houser Street. Seconded by Councilmember Kemp. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

#7049. Councilmember Kite moved the Resolution be adopted approving the Contract and Bond with Illinois-Iowa Blacktop, Inc. for Mad Creek Public Improvement Projects in the amount of \$279,335.62. Seconded by Councilmember York. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp and Sayles. Motion carried and Resolution duly adopted.

#7050. Councilmember Kemp moved to approve the Resolution establishing the Street Overlay Project #1 and Brook Street Park Improvement Program for the Mad Creek Target Area in the amount of \$359,430 with funding sources and expenditures as outlined in the Resolution. Seconded by Councilmember Amerine. All ayes: Councilmember Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

#7051. Councilmember Kite moved the Resolution be adopted setting a public hearing for May 17, 1984 on the 1984 Transit Development Plan for the City of Muscatine. Seconded by Councilmember Waltman. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

#7052. Councilmember York moved the Resolution be adopted approving the Temporary Employee Pay/Classification Plan. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

#7053. Councilmember Waltman moved to approve the agreement with the Iowa Department of Transportation for relocating the street lights at the intersection of U.S. 61 and Highway 38. Seconded by Councilmember York. All ayes; motion carried.

#7054. Councilmember Kite moved to table until the next Council meeting the following recommendations from the City staff Traffic Committee to offer the citizens an opportunity to comment on the proposed changes: (1) Remove the One Way in Alley #1 between Pine and Linn Streets, and (2) Implement No Parking on the south side of Canon Avenue from Park Avenue to River Road. Seconded by Councilmember York.

Councilmember Kemp questioned if notices had been sent to property owners in these areas.

City Administrator Wolff reported that these property owners can be notified.

Vote - All ayes; motion carried.

#7055. Councilmember Waltman moved to refer to the Planning and Zoning Commission for their review and recommendation the request to dead end the alley between Dewey and Schley Streets. Seconded by Councilmember Amerine.

Councilmember Amerine requested that notification be given to Mr. Walker and other property owners of this proposed change.

Vote - All ayes; motion carried.

#7056. Councilmember Kite moved to approve the Subordination Agreement between the City and Margaret D. Norwood. Seconded by Councilmember Amerine. All ayes; motion carried.

#7057. Councilmember Kemp moved to approve the Temporary Construction Easement for a 10 x 140 foot area from Mary Rupp, 1112 E. 3rd Street. Seconded by Councilmember Kite.

Councilmember Kemp questioned if installation of a permanent pipe between 1112 E. 3rd and 1103 E. 3rd would be possible to attempt to prevent problems with rats in this area.

Ray Childs, City Engineer, stated that there may be problems with a pipe since it was shallow and in a rubble fill zone. He added that a small paved ditch would be a better alternative.

Vote - All ayes; motion carried.

#7058. Councilmember York moved to approve the Temporary Construction Easement for a 140 x 30 foot area from Randy and Karen Hager, 1103 E. 3rd Street. Seconded by Councilmember Kite. All ayes; motion carried.

#7059. Councilmember Kemp moved to approve the Temporary Construction Easement for a 140 x 30 foot area from Rita Cole, 301 Lombard. Seconded by Councilmember Waltman. All ayes; motion carried.

#7060. Councilmember York moved to approve the Permanent Easement for the construction of a storm sewer line for a 20 x 70 foot area from Lena Werner, 210 Parmalee. Seconded by Councilmember Waltman. All ayes; motion carried.

#7061. Councilmember Kite moved the Resolution be adopted approving the Clark House and Sunset Park Budgets for 1984-85 in the amounts indicated. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

Councilmember Kemp asked if there were any openings at the present time at the Clark House.

Jack Paetz, Housing Administrator, reported that there was one vacancy but that a waiting list is kept for persons to fill vacancies.

Craig Olson, Director of Water Pollution Control, reported on the request to declare equipment at the Water Pollution Control Plant as surplus property. He noted the reason for the proposed sale is due to the sizing down of the plant as a result of Grain Processing Corporation withdrawing as a user. He reported that the list of items had an original cost of \$1.8 million in 1974 and include the pure oxygen plant and part of the heat treatment plant.

City Administrator Wolff reported there is a question of the marketability of these items. He added that due to this uncertainty that no revenues from sale of equipment have been included in the estimated financing of the Water Pollution Control Plant Renovation Project. He also noted that revenue from the sale of equipment financed by Federal and State grants must be returned to these agencies in the proportion funded in the original grant.

Craig Olson added that it may not prove economical for the City to keep the heat treatment unit in good order for sale at an estimated \$50,000 to \$60,000 cost if the original 80 per cent funding by Federal and State funds must be turned back to these agencies.

#7062. Councilmember Waltman moved that the list of equipment at the Water Pollution Control Plant be declared surplus property and the City staff be authorized to dispose of the equipment in accordance with the E.P.A. guidelines. Seconded by Councilmember Kemp. All ayes; motion carried.

Water Pollution Control Director Olson gave a presentation outlining the proposed plans for renovation of the Water Pollution Control Plant in both Phase I and Phase II of the Plan. He noted that Phase I mainly involves modification of the economic operation of the Plant and that Phase II will modify the processes at the Plant. He also explained that pre-qualification of the bidders was being requested to insure qualified bidders and avoid potential bid problems.

#7063. Councilmember Kemp moved the Resolution be adopted setting a public hearing on the Waste Water Treatment System Improvements - Phase I for April 19, 1984. Seconded by Councilmember Waltman. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

City Administrator Wolff reported that pre-qualification of bidders is not uncommon and may avoid problems of disqualifying low bidders if necessary. He noted that he felt this was a better approach and met the requirements of the statutes.

City Attorney Allbee concurred that this did meet the requirements of the statutes.

#7064. Councilmember Kite moved that staff be authorized to proceed with issuing notices to contractors indicating pre-qualification documents must be filed prior to May 7, 1984. Seconded by Councilmember York. All ayes; motion carried.

Water Pollution Control Director Olson reviewed the organizational chart of the Water Pollution Control Plant showing the positions being recommended for elimination and noting some realignment of duties.

City Administrator Wolff also stated that one of the supervisor's positions is planned to be charged to the Renovation Project to work with the engineering firm during the two year construction period.

Councilmember Kite questioned if any of the positions being eliminated were currently vacant.

Craig Olson reported that four positions of the seven being eliminated in the next few weeks were filled at this time.

Soren Wolff noted that several of these individuals have taken tests for other jobs within the City organization.

#7065. Councilmember York moved the Resolution be adopted authorizing the reduction and removal of employees in the classifications and numbers as indicated for the Water Pollution Control Operation. Seconded by Councilmember Waltman. All ayes: Councilmember Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

Craig Olson reviewed four options considered for rate increases for Water Pollution Control Operations and the effects each would have on estimated fund balances for the fiscal years ending June 30, 1984 and 1985.

City Administrator Wolff reviewed the projected usage by GPC for the remainder of this year and estimated usage for next year if there are no delays in the construction of GPC's waste plant. He noted that an additional rate increase would probably be needed by this time next year if GPC's construction is as currently anticipated.

Craig Olson presented a survey of sewer fees of Iowa cities, showing Muscatine's rankings among these other cities.

Councilmember Kemp questioned the amount of additional increase that may be necessary within the next year.

Craig Olson estimated an additional 10 percent increase would be needed for the new plant to operate in 1984 dollars if no other industrial user utilizes the system. He noted there would be reduced chemical, electricity, and employee costs and that the proposed new plant is very cost-effective.

Councilmember York questioned why option 2A was being recommended rather than 2B to avoid a possible deficit by June 30, 1985.

City Administrator Wolff reported that the estimates of expenditures for scaled-down costs are the best estimates at this time but may need to be revised to better reflect actual costs. He noted that the increase to the average user may not appear significant between options 2A and 2B but that the costs to small businesses will be more significant. He stated that further discussion of the rates can be included in the next In-Depth Council meeting.

#7066. Councilmember York moved to approve the ordinance on first reading to increase the Waste Water Treatment rates as outlined. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Ordinance approved on first reading.

City Administrator Wolff reviewed the map and assessments proposed for the Olive Branch Water Improvement Project. He noted that each property owner will still need to extend the water to their homes. He added that costs for this project will be on a special assessment basis and Muscatine Power and Water will do the interim financing on this project.

Councilmember Sayles questioned if there would be a deadline for homeowners to hook up to the water supply.

Soren Wolff stated that Council can decide on the time period to be allowed.

City Attorney Allbee noted that the cost of the installation of water lines to the houses could be included in the special assessments.

Soren Wolff stated that this could be discussed with the property owners at the public hearing.

#7067. Councilmember Amerine moved the Resolution be adopted approving the preliminary plans, specifications, plat, schedule, and cost estimates for the Olive Branch Water Main Extension Project. Seconded by Councilmember Waltman. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

#7068. Councilmember Waltman moved to approve the Resolution of Necessity for the 1984 Olive Branch Water Main Extension Program and set a public hearing on May 17, 1984. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, York, Amerine, Waltman, Kemp, and Sayles. Motion carried and Resolution duly adopted.

#7069. Councilmember Amerine moved to receive and file Items A - L. Seconded by Councilmember York. All ayes; motion carried.

#7070. Councilmember Waltman moved to approve bills totalling \$981,161.49 and authorize the Mayor and City Clerk to issue warrant of the same. Seconded by Councilmember Kite. All ayes; motion carried.

Councilmember Kemp reported that the street needs repaired on Mulberry Avenue where the blacktop meets the cement along Colony Drive.

Councilmember Kite questioned who marks the water hydrants with blue arrows.

City Engineer Ray Childs reported that this was done by Muscatine Power and Water. He also stated that the street repairs were started on Mulberry Avenue but the rain had caused a delay.

Councilmember Waltman reported a need for a street light on Lorenz Street, off of Roscoe.

City Administrator Wolff stated he would forward this request.

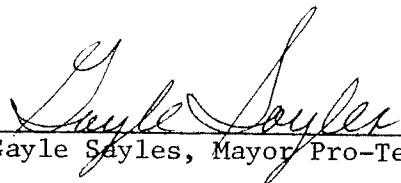
Soren Wolff reported receiving notification from the Fire Chief that a donation of \$2,500 had been offered to the Muscatine Fire Department Rescue Unit for the purchase of rescue equipment.

#7071. Councilmember Waltman moved to accept this donation with thanks to KFMH Radio, the Quad City Times, and Beethoven's. Seconded by Councilmember Amerine. All ayes; motion carried.

City Administrator Wolff reported on a memo from Steve Boka, Building and Zoning Administrator regarding junk vehicles on private property. He stated that the City has been taking steps to improve enforcement of the ordinance on junk vehicles which may include removing these vehicles to the City's impound lot.

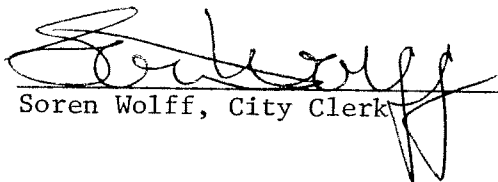
Steve Boka reported that efforts to remove these vehicles have been pretty successful but there are currently several individuals who are not removing these vehicles. He stated that removing these vehicles to the City's impound lot is permitted according to State laws.

#7072. Councilmember Kemp moved to adjourn the meeting. Seconded by Councilmember York. All ayes; motion carried.



Gayle Sayles, Mayor Pro-Tem

Attest:



Soren Wolff, City Clerk