

6-A

CITY OF MUSCATINE  
REGULAR MONTHLY SESSION OF CITY COUNCIL  
Council Chambers - March 19, 1987 - 7:30 p.m.

The meeting was called to order by Mayor Richard Waltman.

Roll Call: Councilmembers York, Harder, Sayles, Phillips, Powell, Kemp, and Amerine present.

The opening prayer was given by Pastor Leland Eyres, North Muscatine United Methodist Church.

The Pledge of Allegiance was given.

PUBLIC HEARING

Mayor Waltman announced the hearing was being held to receive public comment on the Madison School Target Area Street Improvement Project.

Kevin Whittaker, Director of Planning and Community Development, reviewed the boundaries of the target area and the location of the streets proposed to receive the asphalt overlay and concrete curbs and gutters.

There were no public comments for or against the plan.

There were no written petitions for or against.

#10197. Councilmember Amerine moved to close the public hearing. Seconded by Councilmember Powell. All ayes; motion carried.

PUBLIC HEARING

Mayor Waltman announced the hearing was being held to receive public comment on the proposed farmland lease amendment for property at the Municipal Airport.

Kevin Whittaker, Director of Planning and Community Development, showed the location of the City-owned property near the airport noting the 70 acres proposed to be added to the current lease with Henry Bierman.

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

There were no written petitions for or against.

#10198. Councilmember Amerine moved to close the public hearing. Seconded by Councilmember Sayles. All ayes; motion carried.

## PUBLIC HEARING

Mayor Waltman announced the hearing was being held to receive public comment on submitting the 1987/88 application for public transit funding.

There were no public comments for or against the application.

There were no written petitions for or against.

#10199. Councilmember Powell moved to close the public hearing. Seconded by Councilmember Kemp. All ayes; motion carried.

#10200. Councilmember York moved to approve the Minutes of the 1987/88 Budget sessions as corrected. Seconded by Councilmember Sayles. All ayes; motion carried.

#10201. Councilmember Phillips moved to approve the Minutes of the March 5, 1987 Regular Council meeting as corrected. Seconded by Councilmember Kemp. All ayes; motion carried.

#10202. Councilmember Sayles moved to approve the Minutes of the March 12, 1987 In-Depth Council Meeting as corrected. Seconded by Councilmember Phillips. All ayes; motion carried.

#10203. Councilmember Powell moved to approve the applications for renewal of Class "C" Liquor License for Edward's Tavern, 207 Mulberry Avenue - Marlene Anderson and Class "E" Beer Permit for Hy-Vee Food Store, 1903 Park Avenue - Hy-Vee Food Stores, Inc. Seconded by Councilmember Amerine. All ayes; motion carried.

#10204. Councilmember Amerine moved to table until the next meeting the request for new Class "B" Beer Permit for Larry and Earl's Second Street Saloon, 202 West Second - Larry C. Moench and Earl E. Moench. Seconded by Councilmember Kemp. All ayes; motion carried.

Soren Wolff, City Administrator, reported a Notice of Injury had been filed against the City involving a traffic accident at Grandview and 41st Street and recommended this be referred to the City's insurance company.

#10205. Councilmember Kemp moved to refer the Notice of Injury against the City involving the traffic accident at Grandview and 41st Street to the City's insurance company. Seconded by Councilmember Sayles. All ayes; motion carried.

#10206. Councilmember Kemp moved to approve proclamations for the following: (1) Camp Fire Birthday Week, March 15 - 22, 1987 and (2) International DeMolay Week, March 15 - 22, 1987. Seconded by Councilmember York. All ayes; motion carried.

Kevin Whittaker, Director of Planning and Community Development, showed the location of the property proposed to be rezoned from R-3 to M-1 on Oregon Street. He reviewed the zoning of other property in this area.

#10207. Councilmember Amerine moved the resolution be adopted setting a Public Hearing on the request to rezone property on Oregon Street from R-3 to M-1 on May 7, 1987. Seconded by Councilmember Kemp.

There was discussion concerning delaying the public hearing until May.

Kevin Whittaker, Planning & Community Development Director, stated he was not aware of any problems with a delay.

Vote: All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell and Kemp. Motion carried and resolution duly adopted.

#10208. Councilmember Powell moved the ordinance on final reading to adopt the Uniform Building Code as established by the International Conference of Building Officials be approved and the ordinance be published in the Muscatine Journal. Seconded by Councilmember Sayles. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and ordinance adopted on third and final reading.

#10209. Councilmember York moved the ordinance on final reading to adopt the current Electrical, Mechanical and Plumbing Codes by reference be approved and the ordinance be published in the Muscatine Journal. Seconded by Councilmember Harder. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and ordinance adopted on third and final reading.

#10210. Councilmember Powell moved the resolution be adopted approving the plans, specifications, and cost estimates and setting the bid opening date for April 4, 1987 at 10:00 a.m. for the Madison School Target Area Street Improvement Project. Seconded by Councilmember Sayles. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#10211. Councilmember Amerine moved the resolution be adopted authorizing the submittal of an application for Federal and State Public Transit funding. Seconded by Councilmember York. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#10212. Councilmember Sayles moved the resolution be adopted implementing the new prorated benefit schedule for permanent part time employees. Seconded by Councilmember York. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#10213. Councilmember Amerine moved to approve the amendment to the Airport Farm Land Lease with Henry Bierman for farming an additional 70 acres of land adjacent to the Airport. Seconded by Councilmember York. All ayes; motion carried.

#10214. Councilmember Sayles moved to remove the older of the two buildings at the former Timarina site and City staff be authorized to proceed with implementing items (2) If the building(s) are to be retained, what length of lease would be considered; (3) If the older building is removed what type

of landscaping and renovation should be performed; and (4) If it is decided to keep one or both buildings, how should proposals be received and reviewed for use of the building listed. Seconded by Councilmember Powell.

Councilmember York stated he felt the City should solicit proposals for both buildings at this location. He noted square footage would be reduced and the dollar value of improvements allowed may be reduced by \$12,978 if the older building is demolished. He stated he felt the City should decide what will be constructed there before the older building is demolished.

Councilmember Amerine stated he felt a decision is needed on the number of buildings before proposals can be solicited. He stated he concurred with Councilmember Sayles motion to demolish the older building.

Councilmember York and Mayor Waltman stated they knew of persons interested in utilizing both buildings.

Councilmember Phillips noted the interior of the older building needs extensive work. She questioned if it would be worth renovating, and if the \$12,978 would be enough to accomplish the renovation.

Councilmember Sayles agreed the building is in very poor condition and stated she felt it would be in the best interest of the City to demolish it.

Councilmember Harder stated the building could be torn down at a later date, but it may enhance the City's options not to demolish the building before proposals are evaluated.

There was further discussion on demolishing the building.

Councilmember Harder stated he would like Council to consider separately the issues: (1) Should the building(s) be demolished or should one or both be retained for use i.e. public facility, marina operation, food retail or a combination of uses; (2) If the building(s) are to be retained, what length of lease would be considered; (3) If the older building is removed what type of landscaping and renovation should be performed; and (4) If it is decided to keep one or both buildings, how should proposals be received and reviewed for use of the building.

Councilmember Phillips stated she was concerned whether gas sales would be available for boaters by May.

Mayor Waltman stated he felt the City may need to sell gas this spring.

Ozzie Osborn, 314 Kindler, stated he was representing himself and his cousin. He stated they were interested in operating a restaurant at this location in addition to providing gas and services to boaters. He requested Council to wait before demolishing the older building noting if their proposal is accepted, they may want to use one of the walls of this building. He stated he felt with the restriction of building improvements at 50% of fair market value, the dollar value of improvements allowed would need to consider the value of both buildings to permit the necessary improvements. He stated they were planning a restaurant which could accommodate large groups of people including tours.

Councilmember Amerine stated he felt Council was not ready to evaluate individual proposals at this time, and noted there are other parties interested in this location.

There was discussion of the flood plain improvement restriction of 50% of fair market value, and whether demolition of the older building would reduce the total amount of improvements which may be done at this location.

Harvey Allbee, City Attorney, stated he felt it was doubtful that by keeping one wall of the older building, 50% of its former value could be used towards improvement of the newer structure. He stated this would, however, need further research.

Soren Wolff, City Administrator, stated he was opposed to retaining one wall of the older building for the sole purpose of allowing more dollar value of improvements to be done to the newer building at this location. He stated there was a potential in regard to the flood plain restrictions, to consider these buildings as one site. He noted if this was the case, the older building could be demolished but the improvement limit could be 50% of the value of both buildings. He stated this would need approval by FEMA (Federal Emergency Management Administration). He noted the importance of meeting requirements of this organization to keep lower insurance rates for areas in the flood plain. He added banking institutions also cannot provide financing for projects unless they are properly certified by FEMA. He requested direction from Council so staff could begin work on general specifications for review at the In-Depth Council meeting in April. He stated the City could provide gas service for the summer.

Larry Wolf, Parks & Recreation Director, stated gas service can be provided by the City and noted sales figures have been obtained from prior years.

Councilmember Sayles stated she felt there was not enough information to act upon the proposed demolition at this meeting. She withdrew her motion.

Councilmember Powell withdrew the second to the motion.

There was discussion concerning when interpretation of the flood plain requirements would be available.

Kevin Whittaker, Director of Planning and Community Development, stated that an interpretation by FEMA could be received in a week.

Soren Wolff, City Administrator, stated specifications could be prepared stating the City believes it desirable to demolish the older building, but proposals could be submitted including the older building. He requested Council direction so staff can prepare preliminary specifications for review in April.

Councilmember Harder questioned if the restrooms had been checked in these buildings.

Larry Wolf, Director of Parks and Recreation, stated they performed tests in the older building and did not find a problem. He noted the older building was connected to a septic tank.

Soren Wolff, City Administrator, stated the older building was located over the septic tank. He reported hook-up to the sanitary sewer would cost approximately \$3,300 for the newer building and \$700 for the older building. He noted a sewer was installed on the upstream side of the newer building to pump sewage from boats but apparently has not been used. He also stated the sewage from the boats should be pumped into the sewer system, and boaters should be notified of its availability.

#10215. Councilmember Sayles moved to table consideration of the use of the former Timarina buildings to the next meeting. Seconded by Councilmember York.

Councilmember Harder questioned if the Council should give staff direction at this meeting so preliminary specifications could be started.

Soren Wolff, City Administrator, stated if Council was in general agreement, staff could proceed with preliminary plans.

Councilmember Kemp stated he would like staff to begin work on the specifications for this location and inquired if input would also be available from the Park and Recreation, Levee, and Central Business District groups by the next meeting.

Soren Wolff, City Administrator, stated the information distributed at the last In-Depth meeting included documents with long-range plans by the various groups. He stated he did not feel it was necessary to further discuss these plans until proposals are received, and at that time the proposals could be evaluated giving consideration to these plans.

Councilmember Sayles stated she felt Council should make the decision on the buildings when all information is available.

Councilmember Harder stated he did not feel a committee was necessary but that Council should get input from various groups and make the decisions.

#10216. Councilmember Sayles moved to amend the motion to table consideration of removing the older structure at the former TIMARINA site, to also direct staff to prepare preliminary specifications for review by Council. Seconded by Councilmember Kemp.

Councilmember Phillips noted Council should also discuss at the next meeting the second part of #4 on the City Administrator's report concerning appointment of a committee to review proposals.

Vote (on Amendment) - All ayes; motion carried.

Vote (on Motion) - All ayes; motion carried.

#10217. Councilmember York moved to approve the request to authorize the Assistant Finance Director to have access to the safety deposit box at First National Bank. Seconded by Councilmember Kemp.

Councilmember Harder noted this authorization would require both the Assistant Finance Director and Finance Director to be present for access.

Vote - All ayes, motion carried.

#10218. Councilmember Powell moved the resolution be adopted assessing the amounts for house demolitions for the properties at 518-520 East Fifth Street and 1001 Cypress Street. Seconded by Councilmember York. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#10219. Councilmember Amerine moved to accept the request to withdraw the proposal to establish Broadway as one way street. Seconded by Councilmember Sayles. All ayes; motion carried.

City Administrator Wolff, reviewed the status of the City's attempts to locate a used self-propelled scraper for the landfill. He stated staff is not ready to make a recommendation on this piece of equipment at this time. He recommended the lease be amended with Herman M. Brown for the lease of two dozers for the landfill with a third dozer to be kept as a standby.

#10220. Councilmember Powell moved to approve the amended Landfill Equipment Lease with Herman Brown Company for the lease of two dozers at a cost of \$3,500 per month for a two year period beginning April 1, 1987 with a third dozer to be kept as a standby to be paid for only when used. Seconded by Councilmember Harder. All ayes; motion carried.

#10221. Councilmember Amerine moved to approve the list of individuals for electrical licenses. Seconded by Councilmember York. All ayes; motion carried.

Soren Wolff, City Administrator, reported bids were opened on Tuesday, March 17th for the purchase of the sludge distribution hose for Phase III of the Water Pollution Control Renovation Project. He stated additional time was needed to review these bids and a recommendation would be made at the next Regular Council meeting.

#10222. Councilmember York moved to receive and file Communication Items A through N. Seconded by Councilmember Sayles. All ayes; motion carried.

#10223. Councilmember Kemp moved to approve bills totaling \$384,416.01 and authorize the Mayor and City Clerk to issue warrants for the same. Seconded by Councilmember Powell. All ayes; motion carried.

Councilmember Harder stated he had not seen Council Minutes published in the Muscatine Journal for the past couple of months.

Deborah Neels, Director of Finance and Records, stated it takes several weeks after minutes are submitted to the newspaper until they are published.


#10225. Councilmember Powell moved to go out of Executive Session. Seconded by Councilmember Kemp. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried.

#10226. Councilmember York moved to approve the labor agreement between the City and the Blue and White Collar Bargaining Unit covering the period from July 1, 1987 to June 30, 1989. Seconded by Councilmember Sayles. All ayes; motion carried.

#10227. Councilmember Powell moved to adjourn the meeting. Seconded by Councilmember Amerine. All ayes; motion carried.

  
Richard Waltman, Mayor

Attest:

  
Soren Wolff, City Clerk