

6-A

CITY OF MUSCATINE
REGULAR MONTHLY SESSION OF CITY COUNCIL
Council Chambers - March 2, 1989 - 7:30 p.m.

The meeting was called to order by Mayor Don LeMar.

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

The opening prayer was given by Kenneth Bell of the Wesley United Methodist Church.

The Pledge of Allegiance was given.

PUBLIC HEARING

Mayor LeMar announced the hearing was being held to receive public comment on the proposed adoption of the 1988 Uniform Fire Code, National Fire Association Standard 101, and the 1988 Uniform Building, Mechanical, and Plumbing Codes.

There were no oral comments for or against.

There were no written petitions for or against.

#11533. Councilmember Kemp moved to close the hearing. Seconded by Councilmember Amerine. All ayes; motion carried.

PUBLIC HEARING

Mayor LeMar announced the hearing was being held to receive public comment on the proposed Spring 1989 General Obligation bond issue in the amounts of \$760,000 and \$55,000.

There were no oral comments for or against.

There were no written petitions for or against.

#11534. Councilmember Amerine moved to close the hearing. Seconded by Councilmember Brewer. All ayes; motion carried.

#11535. Councilmember Phillips moved to approve the Minutes of the February 16, 1989 Regular City Council Meeting and the Minutes of the February 13, 14, and 15, 1989 City Council Budget Review Meetings. Seconded by Councilmember Kemp. All ayes; motion carried.

#11536. Councilmember Amerine moved to approve the following: (1) Renewal of Class "C" Liquor License and Sunday Sales Permit for Diamond Dave's Taco Co., Muscatine Mall - South of the Border, Inc., (2) Renewal of Class "C" Liquor License for Elm's Inc., 2108 Grandview Avenue - Elm's, Inc., subject to inspections, and (3) Renewal of Class "C" Beer and Sunday Sales

Permit for Holiday Stationstore #10, 502 Grandview Avenue - Cedar Falls Oil Co., subject to inspections. Seconded by Councilmember Sayles. All ayes; motion carried.

#11537. Councilmember Amerine moved to table until the next Council meeting the request for new Special Class "C (BW)" Liquor License for The Golden Dragon, 501 W. Bypass Highway 38 & 61 - Suc Pham. Seconded by Councilmember Harder. All ayes; motion carried.

#11538. Councilmember York moved to table until the next Council meeting the request for new Class "B" Beer Permit for 2nd Street Saloon, 202 W. 2nd - 2nd Street Saloon, Inc. Seconded by Councilmember Sayles. All ayes; motion carried.

#11539. Councilmember Kemp moved to approve the proclamation declaring March 18 - 26, 1989 as "Daffodil Days" in conjunction with the American Cancer Society. Seconded by Councilmember York. All ayes; motion carried.

#11540. Councilmember Brewer moved to approve the ordinance on second and final reading to rezone real estate located off Termini Drive to the RL-Large Scale Residential Development District and direct it be published in the Muscatine Journal as required. Seconded by Councilmember York. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and ordinance adopted on second and final reading.

#11541. Councilmember Sayles moved to approve the ordinance on second and final reading to vacate a portion of the Termini Drive right-of-way and direct it be published in the Muscatine Journal as required. Seconded by Councilmember Harder. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and ordinance adopted on second and final reading.

#11542. Councilmember Phillips moved the resolution be adopted approving the preliminary and final development plan for the Beau Bien development off Termini Drive. Seconded by Councilmember Brewer. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and resolution duly adopted.

#11543. Councilmember York moved the resolution be adopted authorizing the sale of a portion of the Termini Drive right-of-way to Craig Drake in the amount of \$9,500. Seconded by Councilmember Sayles. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and resolution duly adopted.

#11544. Councilmember York moved the resolution be adopted approving the executed deed to Mr. Craig Drake. Seconded by Councilmember Brewer. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and resolution duly adopted.

A. J. Johnson, City Administrator reported an application had been received after the agenda was prepared for a new Class "B" Beer and Sunday Sales Permit for Riverbend Racquet and Health Club, 2617 Park Avenue.

#11545. Councilmember Amerine moved to table until the next Council meeting the request for new Class "B" Beer and Sunday Sales Permit for

Riverbend Racquet and Health Club, 2617 Park Avenue - Loos Ice Company. Seconded by Councilmember York. All ayes; motion carried.

#11546. Councilmember Amerine moved the ordinance be approved on first reading to adopt the 1988 Uniform Building, Mechanical, and Plumbing Code. Seconded by Councilmember Kemp. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and ordinance approved on first reading.

#11547. Councilmember York moved the ordinance be approved on first reading to adopt the 1988 Uniform Fire Code and the National Fire Protection Code Section 101. Seconded by Councilmember Sayles.

Councilmember Kemp stated he supported the proposal that the structures located outside the City limits which receive fire protection by the City, also be subject to these Codes.

Vote - All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and ordinance approved on first reading.

#11548. Councilmember Sayles moved the resolution be adopted taking additional action for the issuance of General Obligation Corporate Purpose Bonds. Seconded by Councilmember Phillips. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and resolution duly adopted.

#11549. Councilmember Brewer moved the resolution be adopted establishing the date of April 6, 1989 for the sale of \$815,000 of City General Obligation Corporate Purpose Bonds. Seconded by Councilmember Amerine. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and resolution duly adopted.

#11550. Councilmember Amerine moved to set a public hearing for March 9, 1989 on the proposed FY 1989/90 City Budget and that the Notice of Public Hearing - Budget Estimate be published in the Muscatine Journal as required by the State Code. Seconded by Councilmember Sayles. All ayes; motion carried.

#11551. Councilmember Amerine moved to approve Housing Rehabilitation Applications 178 A & B and 182 A & B. Seconded by Councilmember Kemp. All ayes; motion carried.

#11552. Councilmember Kemp moved to approve the request from the Muscatine High School to install an irrigation system in the infield at Tom Bruner Field. Seconded by Councilmember Amerine.

Councilmember Kemp thanked the Muscatine Quarterback Club for their support of this project.

Vote - All ayes; motion carried.

Ray Childs, City Engineer, reviewed the bids received on Phase II of the Industrial Connector Project. He noted that this was earlier in the year than the City normally received bids on this type of project, but there appeared to be a benefit in setting this earlier bid schedule since the bids received for this project appeared to be low compared with other times of the year. He

reported the low bids for the roadway construction and railroad crossing portions of the project are in total approximately \$131,000 less than the engineer's estimate for the project. He indicated that with the RISE funding received for this project, the savings resulting from the reduced construction cost will enable the funding from area industries to be at a reduced level. He stated that no action was requested by Council at this meeting to award these bids, but requested that staff be authorized to meet with representatives of G.P.C., Agri Industries, and Muscatine Power and Water to allow these organizations to consider and approve funding for their portions of this project. He stated that consideration of this project by these firms is scheduled to occur in March and that the project specifications provide for the City to take action to award the bids for this project no later than the second regular City Council Meeting in April. He also noted that the firm submitting the low bid for the roadway construction portion of the project is a reputable firm which has done other projects in the City.

#11553. Councilmember Amerine moved to accept and table consideration of the bids received for Phase II of the Industrial Connector until agreements are reached with industries involved in funding a portion of the project, and a recommendation is made by City staff. Seconded by Councilmember Kemp.

There was Council discussion on requesting bids for the Isett Avenue Street Project. Councilmembers requested consideration of this project be included on the March 9, 1989 In Depth Council agenda.

Vote - All ayes; motion carried.

#11554. Councilmember Brewer moved the resolution be adopted accepting final work on the electrical contract at the Water Pollution Control Plant by Muscatine Electric and that the final retainage be paid in accordance with the schedule outlined in the resolution. Seconded by Councilmember Amerine. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Kemp, and Brewer. Motion carried and resolution duly adopted.

#11555. Councilmember Amerine moved to receive and file Communication Items A through D. Seconded by Councilmember Sayles. All ayes; motion carried.

#11556. Councilmember Kemp moved to approve bills totalling \$339,559.04 and that the Mayor and City Clerk be authorized to issue warrants for the same. Seconded by Councilmember York. All ayes; motion carried.

Councilmember Harder congratulated the Muscatine High School Girls Basketball team for reaching the State Tournament in Des Moines. He stated their first game would be Monday, March 6th and encouraged everyone to attend.

Councilmember York stated he was pleased that the City received the CDBG grant for Phase II of the Garfield Area Project and commended Kevin Whittaker, Director of Planning and Community Development, and other staff for their efforts for this project.

Councilmember Kemp also stated he was pleased the City received this grant.

Councilmember Kemp commended Finance staff, department heads, and members of City boards and commissions for their efforts for the Fiscal Year 1989/90 City Budget.

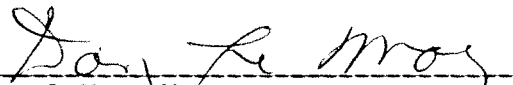
Councilmember Amerine stated he was pleased the City received the CDBG funding for the Garfield Target Area. He also welcomed A.J. Johnson, the new City Administrator, to the community.

Councilmember Brewer also welcomed Mr. Johnson and expressed his thanks to Kevin Whittaker for his work as Acting City Administrator for the City.

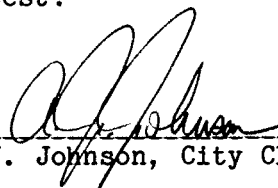
A.J. Johnson, City Administrator, commended City staff for their efforts in developing the 1989/90 budget and also in receiving the CDBG grant. He stated Kevin Whittaker, the department heads, and Councilmembers have been very helpful to him during his first few days as administrator. He stated he was looking forward to working with City Council, staff, and the Muscatine community.

#11557. Councilmember Amerine moved to adjourn the meeting. Seconded by Councilmember Brewer. All ayes; motion carried.

The meeting adjourned at 8:05 p.m.


Don LeMar, Mayor

Attest:


A.J. Johnson, City Clerk