

CITY OF MUSCATINE

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - April 7, 1983 - 7:30 p.m.

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

Roll Call: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer present.

The opening prayer was given by Pastor Deborah Luthje.

The Pledge of Allegiance was given.

PUBLIC HEARING

Mayor Platt announced the purpose of the public hearing was to receive public comment on the proposed rezoning of property on Houser Street near Musser Street from AG to R-4 to allow development of a mobile home park subdivision.

Mr. Chuck Coulter, representing the developer, stated that the developer wished to withdraw his request for rezoning.

PUBLIC HEARING

Mayor Platt announced the purpose of the public hearing was to receive public comment on the proposed rezoning of the properties located at 821, 839 and 838 Park Avenue from S-2 to C-1 and 810 Park Avenue from S-2 to S-1.

Mr. Jim Terrill, 1524 Washington Street, representing residents in this area, stated that they are opposed to the rezoning of all but the property at 810 Park Avenue due to the potential of restaurants or taverns at these locations, but that they are in favor of rezoning of the property at 810 Park Avenue to allow for a mini-mall to be developed.

There were no written petitions for or against.

#5997. Councilmember Waltman moved to close the public hearing. Seconded by Councilmember Brewer. All ayes; motion carried.

#5998. Councilmember Kite moved to approve the Minutes of the Regular Council Meeting of March 17, 1983. Seconded by Councilmember York. All ayes; motion carried.

Mrs. Wanda Martin, 2014 Schiller Street, requested that the excess water in the slough be pumped off before water problems occur in this area such as were experienced last year. Mr. Craig Olson, Water Pollution Control Director, stated that the pumps at the slough are on an automatic float system and that they were running yesterday. He added that he will check on this matter to make sure the problem is taken care of.

#5999. Councilmember Sayles moved to approve the renewal of the following: Class "B" Beer Permit and Sunday Sales Permit for T.I. Investments, Inc., d/b/a Godfather's Pizza, 1903 Park Avenue; and Class "C" Beer Permit and Sunday Sales Permit for Hy-Vee Food Stores, Inc., d/b/a Hy-Vee Food Store, 1903 Park Avenue. Seconded by Councilmember Hilton. All ayes; motion carried.

#6000. Councilmember Waltman moved to table the new Class "C" Liquor License for Deal Enterprises, Ltd., d/b/a Octagon Place, 2610 Park Avenue, until the next Council meeting. Seconded by Councilmember Plett. All ayes; motion carried.

#6001. Councilmember York moved to approve the Proclamation declaring April 10-16, 1983, as Private Property Week. Seconded by Councilmember Kite. All ayes; motion carried.

#6002. Councilmember York moved to set a public hearing on the proposed request to annex approximately 75 acres north of the City limits and east of the Holiday Inn for April 21, 1983, at 7:30 p.m. Seconded by Councilmember Sayles. All ayes; motion carried.

#6003. Councilmember Kite moved to approve the Ordinance on third and final reading to increase refuse collection charges from \$4.20 to \$4.40 for all residential customers and \$2.65 to \$2.75 for senior citizens and direct it to be published in The Muscatine Journal. Seconded by Councilmember Hilton. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Ordinance adopted on third and final reading.

#6004. Councilmember Waltman moved to approve the Ordinance on third and final reading to increase landfill charges from \$1.25 to \$1.30 per cubic yard, special handling wastes approximately 4% and sludge from \$1.70 to \$1.80 per cubic yard and direct it to be published in The Muscatine Journal. Seconded by Councilmember Plett. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Ordinance adopted on third and final reading.

#6005. Councilmember Sayles moved to approve the Ordinance on second reading to prohibit semi-tractors and/or semi-trailers in the City's parks system. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Ordinance approved on second reading.

#6006. Councilmember Sayles moved to deny the Ordinance to rezone properties at 821, 838 and 839 Park Avenue from S-2 to C-1. Seconded by Councilmember York. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried.

#6007. Councilmember Brewer moved to approve the Ordinance on first reading to rezone property at 810 Park Avenue from S-2 to S-1. Seconded by Councilmember Plett. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Ordinance approved on first reading.

#6008. Councilmember Hilton moved to allow the request to rezone property on Houser Street near Musser Street from AG to R-4 to be withdrawn. Seconded by Councilmember Brewer. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried.

#6009. Councilmember Waltman moved to approve the Resolution approving contract and bond with Burger Construction Co., in the amount of \$74,650.00 for the City Hall Elevator and Ramp Project. Seconded by Councilmember York. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6010. Councilmember Kite moved to approve the Resolution approving contract and bond with Illinois-Iowa Blacktop, Inc., in the amount of \$56,872.00 for the Municipal Golf Course Parking Lot Project. Seconded by Councilmember Sayles. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6011. Councilmember Waltman moved to approve the Resolution approving contract and bond with Iowa Paving Contractors, Inc., in the amount of \$424,760.55 for the East Fourth, East Fifth and Poplar Streets and Sewer Improvement Project. Seconded by Councilmember Plett. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6012. Councilmember Brewer moved to approve the Resolution approving the Temporary Employee Pay/Classification Plan effective April 4, 1983, through March 31, 1984. Seconded by Councilmember Hilton. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6013. Councilmember Waltman moved to approve the Resolution authorizing the issuance and sale of Industrial Revenue Bonds in the amount of \$900,000 for the Muscatine Health Center Expansion Project. Seconded by Councilmember Hilton.

Dr. William B. Roudybush, 1102 Mulberry Avenue, stated that he is opposed to issuing Industrial Revenue Bonds for this project as it is not an industry and the organization is tax exempt.

Vote - Ayes: Councilmembers Sayles, York, Hilton and Waltman.
Nays: Councilmembers Kite, Plett and Brewer. Motion carried and Resolution duly adopted.

#6014. Councilmember Brewer moved to approve the Resolution accepting completed work performed under Second Avenue Paving Improvement Project #265-82-A and authorizing final payment to Flynn Company, Inc. Seconded by Councilmember Sayles. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6015. Councilmember Waltman moved to approve the Resolution accepting completed work performed under Lorenz Street Paving Improvement Project #275-82-A and authorizing final payment to Flynn Company, Inc. Seconded by Councilmember Plett. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6016. Councilmember Plett moved to accept the completed work on the Mad Creek Stage II Flood Protection Project and accept the operation and maintenance responsibilities. Seconded by Councilmember Kite. All ayes; motion carried.

#6017. Councilmember Waltman moved to approve the Ordinance on first reading amending Title 10, Chapter 4, Section 6, to adopt the 1983 Flood Control Manual. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Ordinance approved on first reading.

#6018. Councilmember Waltman moved to suspend the rules and adopt the Ordinance to amend Title 10, Chapter 4, Section 6, to adopt the 1983 Flood Control Manual on third and final reading. Seconded by Councilmember Plett. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Ordinance adopted on third and final reading.

#6019. Councilmember Waltman moved to accept the recommendation of the Parks and Recreation Advisory Commission to name the roadside park at Hershey Avenue and Houser Street John Duncan Memorial Park. Seconded by Councilmember Hilton. All ayes; motion carried.

#6020. Councilmember Plett moved to approve the agreement between the City and Armira for improvements to the clarifier mechanism and installation of new railings, walks and stairways to the Pretreatment Facility. Seconded by Councilmember Sayles. All ayes; motion carried.

#6021. Councilmember York moved to approve the Resolution approving the Clark House budget for the period of January 1, 1983, to June 30, 1983. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6022. Councilmember York moved to approve the Resolution approving the Clark House budget for the period of July 1, 1983, to June 30, 1984. Seconded by Councilmember Sayles. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6023. Councilmember Kite moved to approve the Resolution setting a public hearing on May 5, 1983, at 7:30 p.m. on the proposal to submit a grant application for the Public Transit System facilities as part of the new Public Works Facility. Seconded by Councilmember Hilton. All ayes; motion carried.

#6024. Councilmember Brewer moved to approve the Resolution accepting final work on the Isett Avenue Bridge and approving final payment to Hanson Concrete Company. Seconded by Councilmember York. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6025. Councilmember Waltman moved to approve the Security Interest Subordinate Agreement with Central State Bank for Housing Rehabilitation Applicant No. 097. Seconded by Councilmember Hilton. All ayes; motion carried.

Community Development Director Arlen Wiggs reviewed the proposed changes in the Housing Rehabilitation Program guidelines.

#6026. Councilmember Waltman moved to approve the Housing Rehabilitation Program guidelines. Seconded by Councilmember Sayles. All ayes; motion carried.

#6027. Councilmember Sayles moved to receive and file items A through J. Seconded by Councilmember Kite. All ayes; motion carried.

#6028. Councilmember Waltman moved to approve bills totaling \$440,784.72 and authorize the Mayor and City Clerk to issue warrants of the same. Seconded by Councilmember Brewer. All ayes; motion carried.

Councilmember Brewer questioned whether the City had received a response from the railroad regarding the Schley Avenue railroad crossing. City Administrator Wolff stated that a letter had been sent to them giving them 30 days to reopen the crossing or respond with a reason why it cannot be reopened. He added that he will contact them again regarding this matter.

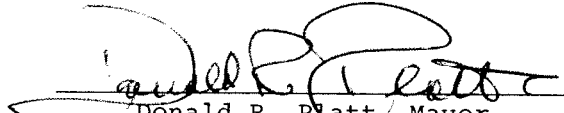
#6029. Councilmember Brewer moved to approve the request from the YMCA to hold the YMCA/KFMH Spring Run on May 21, 1983 with this event to be coordinated with the Police Department for traffic control. Seconded by Councilmember Sayles. All ayes; motion carried.

#6030. Councilmember Plett moved to approve the applications for use of highway right-of-way for new gas pipes under the U.S. 61 Bypass by Iowa Electric Light & Power Company. Seconded by Councilmember Brewer. All ayes; motion carried.


City Administrator Wolff gave an update on the Houser/Allen Street area sewer problems.

- 6 -

#6031. Councilmember Waltman moved to adjourn the meeting. Seconded by Councilmember Brewer. All ayes; motion carried.


Donald R. Platt, Mayor

Attest:


Soren Wolff, City Clerk