

CITY OF MUSCATINE

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - May 19, 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 Councilmember Brewer.

The Pledge of Allegiance was given.

Mr. Herman Cohn presented a time capsule to the City in honor of the City's sesquicentennial celebration. This time capsule is to be opened in 50 years.

PUBLIC HEARING

Mayor Platt announced the purpose of the public hearing was to receive public comment on the proposed improvement project at the former Brei Landfill.

There were no oral appearances for or against.

There were no written petitions for or against.

#6068. Councilmember Waltman moved to close the public hearing. Seconded by Councilmember Kite. All ayes; motion carried.

#6069. Councilmember York moved to approve the Minutes of the Regular Council Meeting of May 5, 1983. Seconded by Councilmember Sayles. All ayes; motion carried.

Mr. Scott Reese, Chairperson of the Muscatine Independence Day Run, requested approval for this event to be held in connection with the City's 4th of July activities.

#6070. Councilmember Kite moved to approve the request to hold the First Annual Muscatine Independence Day Run in connection with the City's 4th of July activities subject to review by the Police Department. Seconded by Councilmember Sayles. All ayes; motion carried.

#6071. Councilmember Waltman moved to approve the renewal of the following: Class "C" Beer Permit and Sunday Sales Permit for Loos Ice Co., d/b/a The Ice House, 510 Park Avenue; Class "C" Beer Permit and Sunday Sales Permit for Walgreen Co., d/b/a Walgreens, Muscatine Mall; Class "B" Beer Permit and Sunday Sales Permit for Muscatine Hotel Company, d/b/a Chez Rachid, 105 Mississippi Drive; Class "B" Beer Permit and Sunday Sales Permit for Ken's Restaurant Systems, Inc., d/b/a Ken's Pizza, 2515 Park Avenue; and Class "A" Liquor License for Muscatine Elks Lodge, d/b/a Elks Lodge #304, 413 E. Mississippi Drive. Seconded by Councilmember York. All ayes; motion carried.

#6072. Councilmember Hilton moved to approve the following: new Class "B" Beer Permit and Sunday Sales Permit for Max Brewer Corp., d/b/a Happy Joe's South, 927 Grandview Avenue; and new Class "C" Beer Permit for Kinsey M. Cox/Russell L. Marler, d/b/a M & H Service Center, Hwy. 61 South. Seconded by Councilmember Kite. All ayes; motion carried.

#6073. Councilmember Waltman moved to approve the renewal of the following: Class "C" Liquor License for Bette T. Anson and Jackie A. Opel, d/b/a Sandmound, R.R. 6 Grandview Avenue; and Class "C" Liquor License for Mary Griffin, d/b/a George's Steak House, 1510 Isett Avenue. Seconded by Councilmember Plett. All ayes; motion carried.

#6074. Councilmember Sayles moved to approve the Resolution approving Cigarette Permit for Wal-Mart #559, 1903 Park Avenue. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6075. Councilmember York moved to approve the Resolution approving Cigarette Permits for Harold F. Loos, d/b/a The Ice House, 510 Park Avenue; Norbert L. Loos, d/b/a Loos' Inc., 711 Park Avenue; and Cedar Falls Oil Co., d/b/a Holiday Stationstore #10, 503 Grandview Avenue. Seconded by Councilmember Waltman. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6076. Councilmember Brewer moved to approve the request by the Downtown Merchants to close Second Street on May 28, 1983. Seconded by Councilmember Hilton. All ayes; motion carried.

#6077. Councilmember Kite moved to approve the request from the American Heart Association to utilize City streets on June 5, 1983, at 2 p.m. for their annual fund raising event. Seconded by Councilmember Brewer. All ayes; motion carried.

#6078. Councilmember Waltman moved to approve the request for funding for the Muscatine Sesquicentennial in the amount of \$800 to be appropriated from the City Council Contingency Fund with the Parks and Recreation Director to oversee this fund. Seconded by Councilmember Sayles. All ayes; motion carried.

#6079. Councilmember Plett moved to approve the Proclamation declaring the week of May 22, 1983, as "World Trade Week". Seconded by Councilmember Hilton. All ayes; motion carried.

#6080. Councilmember Waltman moved to approve the Resolution approving the 80 lot Mulberry Manor Subdivision located outside the City limits. Seconded by Councilmember Plett. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6081. Councilmember Brewer moved to approve the Resolution setting a public hearing on June 2, 1983, on the rezoning of the lot at 1409 Grand Avenue from R-3 to C-1. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6082. Councilmember York moved to approve the Resolution setting a public hearing on June 2, 1983, on the proposal to vacate and sell City owned property on Houser Street. Seconded by Councilmember Hilton. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Walmtan and Brewer. Motion carried and Resolution duly adopted.

#6083. Councilmember Brewer moved to approve the Resolution setting a public hearing on June 2, 1983, on the proposed new rural residential street standards. Seconded by Councilmember Hilton. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6084. Councilmember Waltman moved to suspend the rules and adopt the Ordinance on third and final reading to rezone property on Washington Street from R-3 to M-2 for the new Public Works Facility and amend the M-2 zoning district to establish refuse transfer stations as a conditional use. 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.

Water Pollution Control Director Craig Olson reviewed the proposed Industrial Pretreatment Program. He stated that the Ordinance to implement this program has not yet received approval from the Iowa Department of Environmental Quality, and consequently action on this Ordinance would be delayed until approval is received.

#6085. Councilmember Kite moved to approve the Resolution approving plans, specifications, cost estimates and setting bid opening date for June 14, 1983, for the improvements to the Brei Landfill. Seconded by Councilmember Plett. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6086. Councilmember Waltman moved to set a public hearing on June 2, 1983, at 7:30 p.m. on the amendments to the 1982/83 City budget. Seconded by Councilmember Sayles. All ayes; motion carried.

#6087. Councilmember York moved to approve the Resolution setting date of meeting to take action on the issuance of \$30,000 General Obligation City Hall Bonds for the City Hall Elevator. Seconded by Councilmember Brewer. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6088. Councilmember Waltman moved to approve the Resolution setting date of meeting to take action on the issuance of \$790,000 General Obligation Essential Corporate Purpose Bonds with this issue to include the railroad crossing signal project. Seconded by Councilmember Plett. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6089. Councilmember Kite moved to approve the Resolution setting time and place for receiving and canvassing bids and considering and passing a resolution for the award of \$820,000 General Obligation Corporate Purpose Bonds. Seconded by Councilmember Brewer. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6090. Councilmember Waltman moved to approve the Resolution authorizing the issuance and sale of Industrial Development Revenue Bonds, Series 1983 (Central Can Company Project) in an aggregate principal amount not to exceed \$6,500,000. Seconded by Councilmember Hilton. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6091. Councilmember York moved to approve the Resolution providing for execution and delivery of Deed to Delbert L. Snyder and Jennie Snyder for property at 505 Liberty Street. Seconded by Councilmember Plett. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6092. Councilmember Brewer moved to approve the Resolution authorizing the Mayor and City Clerk to execute the deed to Delbert L. Snyder and Jennie Snyder for property at 505 Liberty Street. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6093. Councilmember Sayles moved to approve the Resolution setting a public hearing on June 2, 1983, on the proposed improvements to the Clark House. Seconded by Councilmember York. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6094. Councilmember Plett moved to approve the agreement with Tom Bankhead to provide architectural services for the renovation of the Clark House in an amount not to exceed \$1,500. Seconded by Councilmember Brewer. All ayes; motion carried.

#6095. Councilmember Waltman moved to approve the Resolution setting public hearing on June 2, 1983, on the Sunset Park Housing Project. Seconded by Councilmember Hilton. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6096. Councilmember Brewer moved to approve the Civil Service certification list for the position of Inspector. Seconded by Councilmember Kite. All ayes; motion carried.

City Administrator Wolff reviewed the history of the sign at the Muscatine "66" on Mulberry Avenue in relation to their request to place a sign in the City right-of-way. Attorney Joni Axel, representing Muscatine "66", reviewed the request and requested approval for this sign.

#6097. Councilmember Plett moved to approve the request for a sign in City right-of-way at 506 Mulberry Avenue for Muscatine "66" subject to the owner submitting specifications to City Council for approval. Seconded by Councilmember Brewer. Four ayes; three nays (Councilmembers Kite, Sayles and Hilton. Motion carried.

#6098. Councilmember Brewer moved to approve the agreements with Milwaukee Railroad and the Iowa Department of Transportation for the 5th Street and Cedar Street Railroad Crossing Improvement Projects. Seconded by Councilmember Sayles. All ayes; motion carried.

#6099. Councilmember Waltman moved to approve the Resolution approving approving the execution of a second amendment to the grant agreement for Project No. 5-19-0063-01 relating to the development of the Muscatine Municipal Airport. Seconded by Councilmember York. All ayes: Councilmembers Kite, Sayles, York, Hilton, Plett, Waltman and Brewer. Motion carried and Resolution duly adopted.

#6100. Councilmember Kite moved to receive and file items A through P. Seconded by Councilmember York. All ayes; motion carried.

#6101. Councilmember Waltman moved to approve bills totaling \$378,321.49 and authorize the Mayor and City Clerk to issue warrants of the same. Seconded by Councilmember Hilton. All ayes; motion carried.

City Attorney Allbee requested authorization to file an administrative complaint with the Soil Conservation Service regarding the property at Houser Street and Hershey Avenue.

#6102. Councilmember Sayles moved to authorize the City Attorney to file an administrative complaint with the Soil Conservation Service regarding the property at Houser Street and Hershey Avenue. Seconded by Councilmember Kite.

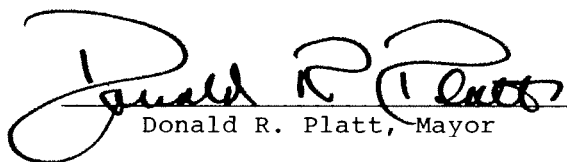
Mr. Bob Bosch, owner of the property, spoke regarding this property stating that each time he has received notice of the problem it has been taken care of.

Vote - Four ayes; three nays (Councilmembers York, Plett and Brewer). Motion carried.

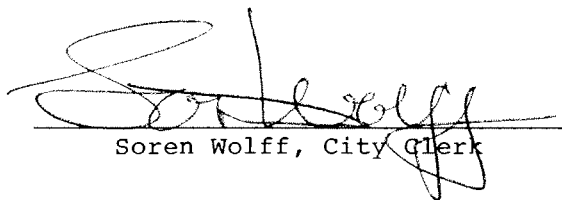
Councilmember Sayles reported that the handicapped sign for the Sun Mart Store on Fourth Street is in the right-of-way with the markings for the stall on the sidewalk.

Councilmember Waltman reported that the "no parking in alley" sign in the alley between 4th and 5th Streets on Pine Street which was previously obstructed by bushes has now been moved and he feels it could obstruct view of traffic.

#6103. Councilmember Waltman moved to adjourn the meeting. Seconded by Councilmember Hilton. All ayes; motion carried.


Donald R. Platt, Mayor

Attest:


Soren Wolff, City Clerk