

MINUTES

REGULAR MONTHLY SESSION OF CITY COUNCIL
Council Chambers January 18, 1979 7:30 P.M.

The meeting was called to order by Her Honor, Mayor Evelyn L. Schauland.

Roll Call: Ald. Platt, Waltman, Rada, Hilton, Kemp and Koehrsen present.
Ald. Robinson absent.

The opening prayer was given by Pastor House.

The Pledge of Allegiance was given.

#3499. Ald. Waltman moved to approve the minutes of the Regular Council meeting of January 4, 1979, as corrected. Second by Ald. Kemp. All ayes; motion carried.

Mr. John Bird, 1312 Houser Street, spoke regarding the proposed paving of Houser Street. He stated that he felt this project should be considered for FAUS monies and be designated as an urban arterial street. He requested that Council take the appropriate action to receive federal funds to complete this project.

Kevin Piecuch, President of Muscatine High School Student Council, requested Council to take action to allow a "Teen Night" one night a week in the local discotheques for dances to be held. He added that on that night no alcoholic beverages would be served. Corporation Counsel Harvey Allbee, Jr., stated that if Council desires, the ordinance can be amended to allow for this request. Council indicated their interest in allowing a "Teen Night" for students.

#3500. Ald. Platt moved to defer discussion of the request from Mr. and Mrs. Leslie Hendricks, R.R.4, concerning fire protection outside the City limits on a contractual basis until the February In Depth Council meeting and request a report from the City Administrator, Planning Administrator and Fire Chief concerning its implications. Second by Ald. Hilton. All ayes; motion carried.

(Ald. Robinson arrived at 7:40 P.M.)

Mayor Schauland submitted the names of Jack Smith, government; Anita DeKock, health and education; Henry Syphrett, jobs and employment; Max Churchill, recreation and fine arts; and Shirley Drake, physical environment, to serve on a CACIM Task Force. She also submitted the names of Del White, chairman, Sarah Lande, Carol Gatzke, Robert Solheim, Carl Reichert, Rodney Chelf, and Charles Edwards to serve on the CACIM Community Goals Committee.

#3501. Ald. Kemp moved to approve the names submitted by Mayor Schauland to serve on a CACIM Task Force and CACIM Community Goals Committee. Second by Ald. Robinson. All ayes; motion carried.

Mr. Jack Delveau, Chairman of the Airport Advisory Commission, spoke regarding the proposed Fixed Base Operator's Lease and Airport Manager's Agreement between the City and Jack Barton. He stated that the majority of the Commission was not in favor of requiring the Fixed Base Operator to furnish financial information to the City. City Administrator Nollenberger stated that he felt it was the City's responsibility to know the financial situation of a fixed base operation when operating on City property.

Atty. John Hintermeister, representing Mr. Barton, stated that he felt the requirement to furnish financial information to the City was an invasion of privacy in that this information would then become public information and would be available to the press.

Corporation Counsel Harvey Allbee, Jr., stated that a public hearing is required according to stated law since the proposed lease would exceed three years.

#3502. Ald. Waltman moved to hold a public hearing on the proposed Fixed Base Operator's Lease and budget discussion on Wednesday, January 24, at 7 p.m. Second by Ald. Koehrsen.

Mr. Dick Publitz, 2918 Bonnie Drive, stated that he felt the Airport Advisory Commission should review the financial position of the fixed base operator periodically to avoid deterioration of services provided at the airport.

The previous motion for a public hearing on Wednesday, January 24, was withdrawn due to the inability of several Council members to attend on that evening.

#3503. Ald. Waltman moved to hold a public hearing on the proposed Fixed Base Operator's Lease and budget discussion on Monday, January 29, at 7 p.m. Second by Ald. Rada. All ayes; motion carried.

#3504. Ald. Hilton moved to defer action on the proposed Fixed Base Operator's Lease and Airport Manager's Agreement until after the public hearing on January 29. Second by Ald. Kemp. All ayes; motion carried.

#3505. Ald. Platt moved to approve the agreement between the City of Muscatine and Stanley Consultants for services to extend, widen, overlay, and mark runway 5/23 and provide medium intensity runway lighting for runways 5/23 and 12/30 subject to Federal Aviation Administration approval. Second by Ald. Rada. All ayes; motion carried.

Community Development Director Arlen Wiggs described the proposed Park Ridge Addition three lot subdivision and the conditions recommended by the Plan and Zoning Commission.

#3506. Ald. Kemp moved to approve the resolution approving the Park Ridge Addition three lot subdivision in the City of Muscatine. Second by Ald. Platt. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and resolution duly adopted.

#3507. Ald. Waltman moved to approve the resolution amending the Clark House regulations establishing admission policies, continued occupancy policies and procedures, Project No. IA-49-1. Second by Ald. Hilton. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and resolution duly adopted.

#3508. Ald. Koehrsen moved to receive and file the Housing Agency's recommendation to approve the rezoning request for the parcel of land located west of Park Avenue and north of Lake Park Boulevard from M-1 (Light Industrial) to R-L (Large Scale Residential). Second by Ald. Rada. All ayes; motion carried.

#3509. Ald. Waltman moved to approve the ordinance on second reading adding Title X, Chapter 2, Section 2 of the City Code to regulate open burning and to provide for the burning of leaves during certain portions of the year. Second by Ald. Platt. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and ordinance approved on second reading.

#3510. Ald. Waltman moved to approve the ordinance on second reading vacating a part of an alley in the Joseph E. Hoopes Second Addition and authorizing and directing the sale. Second by Ald. Hilton. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and ordinance approved on second reading.

#3511. Ald. Kemp moved to approve the ordinance on second reading amending the Zoning Ordinance for a parcel of land west of Park Avenue north of Lake Park Boulevard from M-1 (Light Industrial) to R-L (Large Scale Residential) district. Second by Ald. Platt. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and ordinance approved on second reading.

Mr. Curt Noble, Iowa State Conservation Commission Water Section, spoke regarding the proposed ordinance restricting the use of snowmobiles. He recommended the adoption of Section 321G of the State Code of Iowa which provides for the regulation of snowmobiles. He also stated that this section changed January 1, 1979, and cities may

no longer regulate the use of snowmobiles except to designate streets within the corporate limits where snowmobiles may or may not be ridden.

#3512. Ald. Rada moved to request that the ordinance restricting the use of snowmobiles be redrafted due to the change in the State Code of Iowa. Second by Ald. Hilton. All ayes; motion carried.

#3513. Ald. Koehrsen moved to approve the resolution adding Bidwell (Wier to Outer Belt) and the Clay-Leroy Connector to the Federal Aid to Urban Systems program map with the stipulation that FAUS funds be used only for the City portion and not the assessed portion of the cost. Motion failed for lack of second.

#3514. Ald. Rada moved to approve the resolution adding Bidwell (Wier to Outer Belt) and the Clay-Leroy Connector to the Federal Aid to Urban Systems program map with the deletion of the proposed Clay Street Extension, between Isett Avenue to Bidwell Road as a new collector route. Second by Ald. Kemp. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and resolution duly adopted.

Council discussed the resolution accepting completed work performed by the Chicago, Rock Island and Pacific Railroad Company for the Oregon Street railroad crossing. Ald. Rada stated that he had observed them several times when not working properly. Council agreed to have the City Administrator communicate with the company regarding the problems observed at this railroad crossing and invite them to the next City Council meeting.

#3515. Ald. Platt moved to approve the resolution amending the City classification plan for the position of Maintenance Worker. Second by Ald. Koehrsen. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and resolution duly adopted.

#3516. Ald. Kemp moved to approve the resolution amending the City pay and classification plan for the position of Administrative Assistant with the job title being changed to Program Development Technician. Second by Ald. Platt. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and resolution duly adopted.

#3517. Ald. Waltman moved to approve the resolution releasing real estate mortgage under the Community Development Residential Rehabilitation and Conservation Grant program. Second by Ald. Rada. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and resolution duly adopted.

#3518. Ald. Koehrsen moved to approve the resolution setting March 1, 1979, at 7:25 p.m. for a public hearing concerning the submittal of an application to the Department of Transportation for a grant under the Urban Mass Transportation Act of 1964. Second by Ald. Platt. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and resolution duly adopted.

#3519. Ald. Koehrsen moved to extend the deadline for receipt of bids for proposals for a franchise agreement for cable television to February 22, 1979. Second by Ald. Robinson. All ayes; motion carried.

#3520. Ald. Waltman moved to approve the job description for Parks Maintenance Superintendent. Second by Ald. Koehrsen. All ayes; motion carried.

City Administrator Nollenberger recommended that the billing for snow and ice removal be raised to \$25 per hour from \$15 per hour to encourage property owners to remove snow and ice from their sidewalks.

#3521. Ald. Hilton moved to raise the rate for snow and ice removal from sidewalks from \$15 per hour to \$25 per hour. Second by Ald. Kemp. All ayes; motion carried.

Mayor Schauland read a letter from the Muscatine Community Health Center

commending the City for their efforts in removing snow during a hospital emergency. She presented the letter to Don LeMar, Director of Streets and Grounds.

#3522. Ald. Kemp moved to approve the billings for snow and ice removal at the rate of \$15 per hour as stated on the notices sent to the persons involved. Second by Ald. Platt. All ayes; motion carried.

Ald. Kemp stated that businesses in the Park Avenue area have piled snow so that the view of oncoming traffic has been obstructed. Mr. Edward Jensen, 401 Lowe Street, stated that a business on Lucas Street has pushed snow across the street obstructing the path of traffic. He added that dogs are also a problem in the area of Bridgeman and Lowe Streets and requested that something be done before someone is injured.

#3523. Ald. Kemp moved to approve the award of bid for purchase of five police cars to Krieger Motor Company in the amount of \$31,500. Second by Ald. Rada. All ayes; motion carried.

Mr. Carl Egger, 1504 Houser Street, spoke regarding the proposed construction of Houser Street. He stated that he was opposed to assessed paving on this street since the portion of Houser Street which has already been paved was not assessed against the property.

Mr. Jensen stated that he felt the property owners on Houser Street should be assessed for the paving of the street since other property owners are being assessed for paving of their streets.

#3524. Ald. Waltman moved to approve the construction of Houser Street at a width of 36 feet and to have city staff formulate costs for the project. Second by Ald. Kemp. All ayes; motion carried.

Ald. Koehrsen suggested that a bike lane be included in the plans for construction of Houser Street which would provide access to the new park.

#3525. Ald. Platt moved to receive and file communications received. Second by Ald. Hilton. All ayes; motion carried.

#3526. Ald. Kemp moved to approve bills totaling \$240,427.68 and authorized the Mayor and City Clerk to issue warrants for the same. Second by Ald. Waltman. All ayes; motion carried.

Corporation Counsel Harvey Allbee, Jr., requested Council approval of a resolution setting a public hearing on the proposed Industrial Development Revenue Bonds (Armira Corporation Project) Series 1979.

#3527. Ald. Waltman moved to approve the resolution fixing a date for hearing on proposed Industrial Development Revenue Bonds (Armira Corporation Project) Series 1979. Second by Ald. Rada. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and resolution duly adopted.

Ald. Robinson stated that because of other obligations he will be unable to attend S.C.A.R.F. meetings and requested that another Council member be appointed to this post. Council agreed to appoint Ald. Waltman to replace Ald. Robinson on the S.C.A.R.F. Board.

#3528. Ald. Kemp moved to accept the Traffic Committee recommendation to place a bus zone at the first parking space adjacent to the alley in from the the Laurel Building on Iowa Avenue. Second by Ald. Platt. All ayes; motion carried.

Ald. Kemp reported that the Traffic Committee had tabled the request for a pedestrian crossing at Oak and Second Streets.

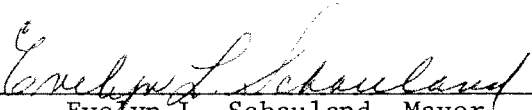
#3529. Ald. Kemp moved to approve the ordinance on first reading on truck routes and weight embargoes. Second by Ald. Platt. All ayes: Ald. Platt, Waltman, Rada, Hilton, Kemp, Koehrsen and Robinson. Motion carried and ordinance approved on first reading.

City Administrator Nollenberger announced that a seminar on state and local finance would be held on February 1st and 2nd in Iowa City and suggested that interested Council members should attend.

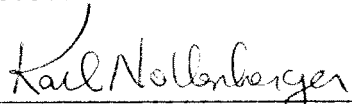
Mayor Schauland announced that \$3,000 has been received from GPC for the development of Fuller Power and Water Park.

Mayor Schauland questioned how the fire hydrants were designated by the Fire Department when some are covered with snow. Fire Chief Paul Ziegenhorn stated that most have been uncovered but that those still covered with snow should be designated by a red flag if not already so designated.

#3530. Ald. Platt moved to adjourn the meeting. Second by Ald. Rada. All ayes; motion carried.


Evelyn L. Schauland, Mayor

Attest:


Karl Nollenberger, City Clerk