

6A

CITY OF MUSCATINE
REGULAR MONTHLY SESSION OF CITY COUNCIL
Council Chambers - February 20, 1992 - 7:30 p.m.

Mayor John Keig called the meeting to order.

Roll Call: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray present.

The opening prayer was given by the Rev. Jerry Miller of the Wesley United Methodist Church.

The Pledge of Allegiance was given.

City Administrator A.J. Johnson introduced Mike Anderson, the City's newly appointed golf pro. He stated that operations at the golf course would begin March 13, 1992.

Mr. Anderson thanked City Administrator Johnson, Larry Wolf and Ed Englehart for his appointment to the position of golf pro.

City Administrator Johnson told Councilmembers that the public hearing concerning the right-of-way sale of property on Lake Park Boulevard, which was omitted from the agenda, would be held this evening.

#13101. Councilmember Kemp moved to approve the minutes of the February 6, 1992 Regular City Council meeting and the January 20, 1992 Strategic Planning Session. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#13102. Councilmember Moench moved the Consent Agenda be approved as follows: Renewal of Class E liquor license for The Vintage Choice, 426 East 2nd Street; renewal of Class A liquor license and Sunday sales permit for American Legion Club, 100 South Houser Street; renewal of Class B beer and Sunday sales permit for Pizza Hut, 710 Grandview Avenue; renewal of Class E beer and Sunday sales permit for Loos' Inc., 711 Park Avenue; renewal of Class E beer and Sunday sales permit for Econo Foods, 501 West By-Pass #61; renewal of Class E beer and Sunday sales permit for Sun Mart #312, 807 Grandview Avenue; use of City property by the Muscatine Girls Softball Association on May 29-31, 1992; filing of Communications A-J; and bills totaling \$572,537.05. Seconded by Councilmember Gary Gray. All ayes; motion carried.

PUBLIC HEARING

Mayor Keig stated that a public hearing was being held concerning the proposed lighting of 15 ball diamonds at Kent Stein Park in association with the Kent Stein Rehabilitation Project.

There were no oral or written petitions for or against the proposed lighting project.

#13103. Councilmember Kemp moved the public hearing be closed. Seconded by Councilmember Freese. All ayes; motion carried.

PUBLIC HEARING

Mayor Keig stated that a public hearing was being held concerning the proposed adoption of ordinances amending Title 8, Chapters 1, 7 and 9 of the Building Code by adopting by reference and amending the 1991 addition of the Uniform Building Code as published by the International Conference of Building Officials.

There were no written or oral petitions for or against the proposed ordinances.

#13104. Councilmember Phillips moved the public hearing be closed. Seconded by Councilmember Freese. All ayes; motion carried.

PUBLIC HEARING

Mayor Keig stated that a public hearing was being held concerning the proposed right-of-way vacation on Lake Park Boulevard.

City Administrator Johnson stated that this matter pertains to action taken at 928 Lake Park Boulevard where property was vacated in order to establish clear title for the property transfer.

Kevin Whittaker, Director of Planning and Community Development, presented an overhead projection showing the location of the property in question. He told Councilmembers that the proposed vacation involves a substantial portion of real estate; however, a large portion of the property drops toward Geneva Creek and is not usable. He stated that the proposed vacation would include the stipulation that City vehicles would still have access to the area.

There were no written or oral petitions for or against the proposed vacation.

#13105. Councilmember Kemp moved the public hearing be closed. Seconded by Councilmember Gary Gray. All ayes; motion carried.

Mayor Keig presented Officer John Quinn with a Medal of Valor award for actions stemming from a house fire on December 14, 1991. Officer Quinn was responsible for rescuing the occupant from the burning house.

Officer Quinn thanked Councilmembers and the Police Department and accepted the award on behalf of all the officers of the patrol division. He stated that he felt any of the officers serving on the Police Department would have acted in the same manner.

Councilmember Moench asked if Officer Quinn could go to area grade schools and talk with students concerning his experience.

Police Chief Gary Coderoni stated that he would be agreeable to Officer Quinn visiting area grade schools. He agreed with Officer Quinn's remark that any of the officers would have acted in the same manner. Chief

Coderoni said that Officer Quinn's actions exemplify what makes people go into the law enforcement profession. He stated that he was proud of all of the officers serving with the Police Department.

Mayor Keig stated that Councilmembers should have received a copy of a letter sent to Marion Nowysz concerning the Polish Industrial and Agricultural Seminar. He asked that Councilmembers approve the letter.

#13106. Councilmember Dan Gray moved that the letter be approved and made a part of the City's public documents. Seconded by Councilmember Freese. All ayes; motion carried.

#13107. Councilmember Phillips moved to approve the ordinance on second reading vacating public right-of-way for the Veterans Plaza Authority. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and ordinance approved on second reading.

#13108. Councilmember Kemp moved the ordinance be approved on final reading amending the Human Rights Ordinance and that it be published in the Muscatine Journal as provided by law. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald and Dan Gray. Motion carried and ordinance approved on final reading.

#13109. Councilmember Phillips moved the ordinance be approved on first reading vacating public right-of-way on Lake Park Boulevard. Seconded by Councilmember Gary Gray. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and ordinance approved on first reading.

#13110. Councilmember Freese moved the ordinances be approved on first reading amending Title 8, Chapters 1, 7 and 9 of the Building Code by adopting by reference and amending the 1991 edition of the Uniform Building Code as published by the International Conference of Building Officials. Seconded by Councilmember Dan Gray.

Councilmember Dan Gray asked how the license fees are used.

City Administrator Johnson stated that all license and building permit fees support the General Fund and are distributed back into General Fund activities.

Vote - All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and ordinance approved on first reading.

#13111. Councilmember Phillips moved the resolution be adopted setting a public hearing on March 5, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning the proposed agreement with the Iowa Department of Transportation for a FAUS project - Cypress Street Improvements. Seconded by Councilmember Kemp. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13112. Councilmember Kemp moved the resolution be adopted setting a public hearing on March 5, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning the proposed fencing of ball diamonds as part of the Kent Stein Rehabilitation Project. Seconded by Councilmember Dan Gray. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13113. Councilmember Phillips moved the resolution be adopted approving the plans, specifications and setting the bid opening date for the installation of three additional boilers and extending the induced fan duct work at the Clark House. Seconded by Councilmember Moench.

Councilmember Dan Gray asked what raising the fan and duct involved.

Jack Paetz, Housing Administrator, stated that the boilers require an induced draft which is created by a fan and duct located on the outside wall of the Clark House near the garage. He told Councilmembers that the current location was causing some freezing on the walls and was damaging the shrubs on the ground below. He stated that he felt by raising the fan and duct the draft will be improved and the problems with freezing and shrub damage will be alleviated.

Vote - All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13114. Councilmember Freese moved the resolution be adopted accepting the work under CIAP 1990 and authorizing final payment to Montgomery Elevator in the amount of \$5,350; Frye Builders and Associates, \$3,240; Klaus Radio, \$4,379; and Muscatine Electric, \$1,734. Seconded by Councilmember Fitzgerald.

Councilmember Moench asked who actually approves the work.

City Administrator Johnson stated that the City has secured the services of an architect who will determine if improvements are in compliance with bid specifications. It will be the architect's responsibility to authorize official completion of a project.

Vote - All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13115. Councilmember Phillips moved the resolution be adopted approving the plans, specifications, form of contract, cost estimates and setting a bid opening date of March 3, 1992 at 2:00 p.m. for the receipt of bids for the Kent Stein Lighting Project. Seconded by Councilmember Gary Gray. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13116. Councilmember Kemp moved to adopt the resolution approving the revised Public Drug Elimination Program operation budget. Seconded by Councilmember Phillips.

Councilmember Freese asked if a majority of the Public Drug Elimination Program pertained to the Sunset Park housing addition.

Mr. Paetz told Councilmembers that the program includes both Sunset Park and the Clark House; however, a majority of the attention is given to Sunset Park.

Vote - All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13117. Councilmember Dan Gray moved that the City of Muscatine accept ownership of the transfer station on behalf of the Muscatine Solid Waste Management Agency. Seconded by Councilmember Fitzgerald.

Councilmember Freese asked if the Solid Waste Management Agency was going to be required to enter into a contract for use of the transfer station.

Randy Hill, Public Works Director, stated that a contract will be a necessity, noting it will benefit both the City and the County. Volume will dictate prices and fees that will be charged by the transfer station.

Vote - All ayes; motion carried.

#13118. Councilmember Fitzgerald moved to approve the closing of the alley behind First National Bank on February 27, 1992 from 8:00 a.m. to 5:00 p.m. to allow for the installation of a new chiller unit on the bank building. Seconded by Councilmember Freese.

City Administrator Johnson stated that the date for closing of the alley should read February 22, 1992.

Vote - All ayes; motion carried.

#13119. Councilmember Kemp moved to approve the resolution releasing real mortgage Case #162 A and B under the Community Development Residential Rehabilitation and Conservation Program. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13120. Councilmember Phillips moved the resolution be approved subordinating a current Community Development Block Grant mortgage Case #207 for refinancing purposes. Seconded by Councilmember Freese. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

Councilmember Phillips invited Councilmembers to attend the DARE program graduation which will be held the last week in March.

Councilmember Gary Gray thanked City Administrator Johnson and David Casstevens for their help during the budget review sessions.

#13121. Councilmember Moench moved to approve the use of salt mixed with cinders on an experimental basis. Seconded by Councilmember Gary Gray.

Councilmember Kemp stated that he felt the public should be allowed to offer input on their feelings about the use of cinders.

#13122. Councilmember Freese moved the matter be tabled to allow time for public input. Seconded by Councilmember Kemp. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried.

City Administrator Johnson asked if this issue was being tabled until the March 5, 1992 Regular City Council meeting, and Councilmember Freese answered yes.

Councilmember Freese stated that he has received a number of calls from residents concerning the City's proposal to move the Transit bus depot to West 3rd Street near the Clark House.

Mayor Keig stated that he has also received a number of calls.

Margaret Kurriger, 2 Jacqueline Drive, told Councilmembers that she does ride the bus. She stated that she had contacted Kathy Kakert, the transit supervisor, and found that approximately 106,963 people rode the buses last year. She stated that she felt people were going to be waiting in the library for the bus to arrive.

Mrs. Kurriger stated that the terminal has been at the Iowa Avenue location for approximately 5 1/2 years and that she felt it was unfair that one business could close down a terminal that services so many people. She pointed out that buses are at that location for approximately five to seven minutes at a time.

Mrs. Kurriger stated that she felt this matter should be studied further before the terminal is moved.

Councilmember Kemp stated that the proposal had indicated that the Clark House would be available as a waiting area.

Phyllis Forsmark, 2206 Imperial Oaks, stated that she has a son with Downs Syndrome who uses the bus to travel to the Sheltered Workshop. She stated that many people living in the apartments downtown use the transit system to get to the workshop, noting that this is their only means of transportation. She asked that this matter be given a thorough examination before moving the bus terminal.

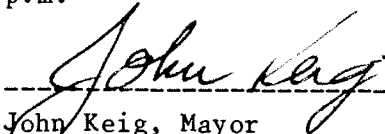
Roger Roth, 312 Iowa Avenue, stated that he felt the terminal should not be moved until a better location can be found.

City Administrator Johnson stated that the City has received many calls and letters concerning the relocation of the bus terminal. He told Councilmembers that the recommendation at this time is to make the move effective July 1, 1992. He stated that he felt this recommendation should be reviewed further, noting that the date may remain the same. He pointed out that all other options will be explored.

City Administrator Johnson stated that the cable commission has received the cable company's audit report and that the City will be receiving a copy of the report for review. Councilmembers will receive a copy of the report at the March In-Depth meeting.

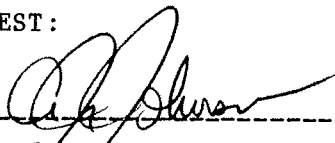
#13123. Councilmember Kemp moved the meeting be adjourned. Seconded by Councilmember Freese. All ayes; motion carried.

The meeting adjourned at 8:25 p.m.



John Keig, Mayor

ATTEST:



A.J. Johnson, City Administrator