

CITY OF MUSCATINE
REGULAR MONTHLY SESSION OF CITY COUNCIL
Council Chambers - April 2, 1992 - 7:30 p.m.

Mayor John Keig called the meeting to order.

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

The opening prayer was given by the Rev. Allan Simms of the Zion Lutheran Church.

The Pledge of Allegiance was given.

Art Giles, 518 West 3rd Street, a representative for the Leadership Muscatine class, stated that 32 members of the class were present tonight. He explained the purpose of the program and then thanked City staff for the time spent explaining to the group the workings of City government.

#13180. Councilmember Kemp moved the minutes be approved of the March 19, 1992 Regular City Council meeting and the March 12, 1992 In-Depth meeting. Seconded by Councilmember Moench.

Councilmember Freese, speaking in reference to the fourth paragraph on page 1 of the In-Depth minutes, stated that it should be amended to read "estimated cost of the project is \$2,226,666..."

Vote - All ayes; motion carried.

#13181. Councilmember Gary Gray moved the Consent Agenda be approved as follows: Renewal of Class E beer and Sunday sales permit for Hy-Vee Food Stores, 1903 Park Avenue; filing of Communications A-G; and bills totaling \$574,083.43. Seconded by Councilmember Dan Gray.

City Administrator A.J. Johnson stated that a request for a new Class C liquor license had been received for the Pit Stop, 1201 Grandview Avenue. He told Councilmembers that the purpose of the request was due to a change in ownership. He asked that the request be approved on first reading, as is City policy.

Councilmembers Gary Gray and Dan Gray agreed to amend their motion to include this request on the Consent Agenda.

Vote - All ayes; motion carried.

#13182. Councilmember Freese moved to approve the request from Carlson Floral for use of City property and sales on City property in conjunction with riverboat gaming activities, including the area adjacent to the Pearl City Station as well as sidewalks in the downtown area. Seconded by Councilmember Dan Gray.

Councilmember Moench stated that Councilmembers would be voting on an ordinance later in the meeting revising the peddlers license, and he asked what affect it would have on peddlers licenses.

City Administrator Johnson stated that the affect should be negligible, pointing out that the ordinance will ensure that all peddlers meet the City's requirements.

Vote - All ayes; motion carried.

#13183. Councilmember Dan Gray moved to approve the request from Muscatine County Community Services on behalf of the "Snackers" operation for use of City property for concession sales to be conducted in conjunction with riverboat gaming activities under the direction of the Parks and Recreation Department. Seconded by Councilmember Freese.

Councilmember Dan Gray asked if this request would be subject to inspections, and City Administrator Johnson answered yes.

Vote - All ayes; motion carried.

#13184. Councilmember Freese moved the resolution be approved setting a public hearing on April 16, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning an amendment to the City's subdivision regulations to require televising of sewer and storm sewer lines within newly constructed subdivisions. Seconded by Councilmember Gary Gray. All ayes: Councilmembers Gary Gray, Freese, Kemp, Moench, and Dan Gray. Motion carried and resolution duly adopted.

#13185. Councilmember Dan Gray moved the ordinance be approved on second reading to increase sanitary sewer rates. Seconded by Councilmember Kemp.

Councilmember Dan Gray asked what information was used to determine this rate increase.

City Administrator Johnson stated that operational costs for sanitary sewer operations were used in determining the increase. He told Councilmembers that the study done last year by Stanley Consultants is used as the basis for calculating rate increases. He pointed out that the anticipated reduction of volumn from Heinz will also have an affect on sewer fees.

Mayor Keig asked if the rate change was cost justified, and City Administrator Johnson answered yes.

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

#13186. Councilmember Gary Gray moved the ordinance be approved on second reading amending the Zoning Ordinance, Title 10, Chapters 14 and 23, Section I, incorporating the definition of a transfer station within an M-1 Light Industrial area. Seconded by Councilmember Kemp. All ayes: Councilmembers Gary Gray, Freese, Kemp, Moench, and Dan Gray. Motion carried and ordinance approved on second reading.

#13187. Councilmember Kemp moved the ordinance be approved on first reading revising the requirements for a peddlers license. Seconded by Councilmember Moench.

Councilmember Kemp stated that it was his understanding that requests received for sales on City property would still require City Council approval, and City Administrator Johnson stated that he was correct.

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

#13188. Councilmember Dan Gray moved the resolution be adopted approving the revised procurement policy for HUD related projects. Seconded by Councilmember Gary Gray. All ayes: Councilmembers Gary Gray, Freese, Kemp, Moench, and Dan Gray. Motion carried and resolution duly adopted.

#13189. Councilmember Freese moved the resolution be adopted approving the City's intent to finance capital projects through bond issuance. Seconded by Councilmember Kemp.

Councilmember Freese, speaking in reference to Exhibit A of the resolution, asked for an explanation of the Environmental Improvement Project in the amount of \$500,000.

David Casstevens, Finance Director, stated that it pertains to the project taking place at East 2nd and Orange streets.

Councilmember Freese asked for an explanation of the change in the law.

Mr. Casstevens stated that the IRS is basically saying that governing bodies must identify in advance projects for which they intend to issue tax-exempt general obligation bonds. He pointed out that supplying this information does not mean that the City is locked into the projects or into financing from bonding.

Councilmember Moench, speaking in reference to the Environmental Improvement Project, asked if the estimated amount of \$500,000 has changed.

City Administrator Johnson stated that he felt the \$500,000 was still a valid amount given the extent of the project completed to date. He told Councilmembers that the materials have been removed from the tank, which appears to be sound, and the next process will be testing the surrounding area for contamination.

Councilmember Moench asked if another bond issue would be necessary if the \$500,000 amount had to be increased.

City Administrator Johnson answered no. He stated that the purpose of this resolution is to put the IRS on notice that the costs shown in Exhibit A are the City's estimate for the projects.

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

#13190. Councilmember Dan Gray moved to approve the following requirements for ADA (Americans with Disabilities Act) compliance: Appointment of an ADA coordinator and approval of the public notice;

approval of the grievance process; and the proposed advisory commission. Seconded by Councilmember Gary Gray. All ayes; motion carried.

#13191. Councilmember Kemp moved the resolution be adopted approving the contract and bond from D&N Fence for the Kent Stein Fencing Project. Seconded by Councilmember Freese. All ayes: Councilmembers Gary Gray, Freese, Kemp, Moench, and Dan Gray. Motion carried and resolution duly adopted.

#13192. Councilmember Kemp moved to authorize the purchase of a vehicle for the police chief from the Doug Bemis Auto Plaza in the amount of \$10,360. Seconded by Councilmember Gary Gray.

City Administrator Johnson pointed out that the vehicle being purchased is a 1991 Dodge. He stated that the vehicle has only 17,000 miles and does have a factory warranty.

Vote - All ayes; motion carried.

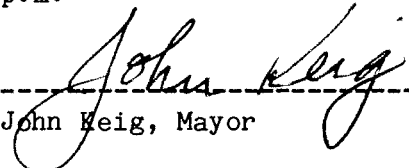
Councilmember Kemp expressed his appreciation to the members of the Leadership Muscatine group in attendance at the meeting.

Councilmember Gary Gray stated that he had received a call from a resident residing in the 500 block of Jackson Street who wanted to know if street improvements would be taking place even though the block grant was not approved.

City Administrator Johnson stated that at this point improvements are not planned in that area.


#13193. Councilmember Kemp moved the meeting be adjourned. Seconded by Councilmember Freese. All ayes; motion carried.

The meeting adjourned at 8:05 p.m.



John Keig, Mayor

ATTEST:



A.J. Johnson, City Administrator