

CITY OF MUSCATINE
REGULAR MONTHLY SESSION OF CITY COUNCIL
Council Chambers - May 5, 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.

Councilmember Freese gave the opening prayer.

The Pledge of Allegiance was given.

Wayne Tooman, Post Office Box 225, stated that he was present on behalf of the Big Sisters/Big Brothers organization as was Sharon Glass of Forest Hill Farms, Route 3, Box 534A, who would be explaining the upcoming 1st Annual Rainbow Rodeo. The event would be benefiting both the Big Brothers/Big Sisters organization and the Future Farmers of America.

Ms. Glass stated that the goal for this event is to provide affordable entertainment for the children. She explained what events would be taking place. She pointed out that the event would be sanctioned by the International Professional Rodeo Association.

Ms. Glass stated that approximately 200 families from all over the United States would be participating in the rodeo. She further stated that uniformed officers and traffic control will be provided, noting that it is anticipated that approximately 6,000 people will attend this event. She asked if the City would provide free shuttle services to the rodeo via the transit system.

Ms. Glass stated that she felt this event will bring money into the community and would benefit the image of the City.

City Administrator A.J. Johnson asked what time bus services would be needed, and Ms. Glass stated buses would be needed between the hours of 9:30 a.m. and 6:00 p.m.

City Administrator Johnson stated that he would need to review this request before making a recommendation.

Councilmember Kemp stated that he felt this event would benefit the community.

Graciela "Coca" Page, 515 Maiden Lane, introduced her sister Lorenza Gioria of Parana, Argentina, the City of Muscatine's Sister City. Ms. Gioria brought letters from both the mayor of Parana and the governor of Entre Rios. She then invited everyone to visit Parana.

Bill Moomey, 1115 Iowa Avenue, stated that a recent article published in the Muscatine Journal prompted him to attend tonight's meeting. He told Councilmembers that the article concerned a proposal made by the Muscatine School District and an organization called Muscatine Homes for the purchase

of Iowa Field for the purpose of constructing housing units for seasonal farm workers. He wanted to make everyone aware that there are many home owners in the area concerned about this proposal.

#13217. Councilmember Kemp moved to approve the minutes of the April 16, 1992 Regular City Council meeting and the April 9, 1992 In-Depth Council meeting. Seconded by Councilmember Freese. All ayes; motion carried.

Councilmember Freese, speaking in reference to the Consent Agenda, asked that item 9D, pertaining to use of the Riverfront by the Muscatine Jaycees and the Chamber of Commerce, be acted upon separately.

#13218. Councilmember Phillips moved the Consent Agenda be approved as follows: Renewal of Class B beer permit for Happy Joe's Pizza Parlor, 927 Grandview Avenue; renewal of Class C beer permit for Walgreen's, U.S. Highway 38 and 61; renewal of Class B beer permit for Pizza Hut of Muscatine, 2512 Park Avenue; renewal of Class C beer permit for Petro-N-Provisions, 709 Grandview Avenue; renewal of Class C beer permit for Petro-N-Provisions, 501 Cedar Street; new Class C liquor license for Rajun Cajun Club, 133 West 2nd Street; cigarette permit for Meerdink's Amoco Service Center, 2111 Park Avenue, for year ending June 30, 1993; use of City property for Crop Walk on September 27, 1992 from 2:00 to 5:00 p.m.; food vending request from Pilot Club in conjunction with Melon City Criterium to be held at Weed Park on May 24, 1992 from 9:00 a.m. to 5:00 p.m. (subject to inspections); use of Riverfront stage for Community Gospel Sing on June 27, 1992 from 5:00 to 9:00 p.m. (subject to health inspections); request from Heartland Trim to sell souvenir items on Riverfront in connection with "Muscatine Monday" riverboat gaming activities; use of City property for Sister Cities Fun Run/Walk on May 9, 1992 beginning at 8:00 a.m.; use of City property for Greater Downtown Muscatine Association's Memorial Day Sidewalk Sale on May 23, 1992 from 7:30 a.m. to 9:00 p.m.; filing of Communications A-K; and bills totaling \$839,260.51. Seconded by Councilmember Gary Gray. All ayes; motion carried.

PUBLIC HEARING

Mayor Keig stated that a public hearing was being held concerning the final assessments for sidewalk installation on Fulliam Avenue.

Ruth Christy, 2903 West Fulliam Avenue, asked if her assessment could be postponed until the drainage problem on her property, created when street improvements were made, was corrected.

Councilmember Kemp asked if the problem Mrs. Christy is concerned about has to do with the sidewalk installation.

Ray Childs, City Engineer, told Councilmembers that the sidewalks were installed on Fulliam Avenue to get children and pedestrians off the street. He stated that a small area of the Christy's property drained into a small grader ditch that was eliminated when street improvements were made on Fulliam Avenue. He pointed out that Mrs. Christy's drainage problem could be corrected by lowering the street. Mr. Childs stated that the only way the drainage problem could be corrected on this Houser Street and Fulliam Avenue corner would be to install drainage outlets between the neighborhood

and Greenway Apartments. He pointed out that the City is responsible for correcting the drainage problem on Mrs. Christy's property; however, the problem now is finding a solution.

Mr. Childs told Councilmembers it would cost approximately \$10,000 to correct Mrs. Christy's drainage problem, noting that it may be included with another project to be completed later this summer.

Councilmember Fitzgerald asked if the drainage problem occurred in Mrs. Christy's front yard, and she answered yes.

Mr. Childs explained why there was a drainage problem on the Christy's property.

City Administrator Johnson stated that Councilmembers could make the decision on whether or not Mrs. Christy's name should be deleted when action is taken on the resolution approving the assessments.

Councilmember Freese stated that Paul Goetzman, a property owner on Fulliam Avenue, was concerned about the cracks appearing in his sidewalk and asked that it be looked into.

Mr. Childs stated that cracking of the sidewalks could not be prevented because the sidewalks is only four inches thick.

Councilmember Freese stated that Mr. Goetzman is concerned by the fact that eventually he will have to replace the sidewalks.

#13219. Councilmember Kemp moved the public hearing be closed. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

PUBLIC HEARING

Mayor Keig stated that a public hearing was being held concerning the City's 1991/92 slurry seal program.

There were no written or oral petitions for or against the program.

#13220. Councilmember Gary Gray moved the public hearing be closed. Seconded by Councilmember Phillips. All ayes; motion carried.

#13221. Councilmember Phillips moved the request be approved from the Chamber of Commerce and Muscatine Jaycees for use of City property for July 4 activities, which would include musical entertainment, food and beverage vendors and a beer tent. Seconded by Councilmember Fitzgerald.

Councilmember Moench stated that he felt the City should request that non-alcoholic beer be sold along with alcoholic beverages for events held on City property.

Councilmember Phillips asked if beverages other than beer are sold during these events.

Councilmember Moench answered yes; however, he felt there are people who would like to drink non-alcoholic beer for social reasons.

#13222. Councilmember Moench moved to amend the motion to include the verbage that the City "strongly request that non-alcoholic beer be served". Seconded by Councilmember Gary Gray.

Councilmember Fitzgerald stated that he felt the amendment was not necessary.

Councilmember Kemp stated that he was in agreement, noting that pop is available for those people choosing not to drink. He asked how many people request non-alcoholic beer.

Councilmember Gary Gray stated that the number of people requesting this type of beer has increased.

There was further discussion on non-alcoholic beer.

Councilmember Dan Gray stated that he was not opposed to the selling of non-alcoholic beer; however, he felt the organizers of this event should be allowed to do it on their own free will.

Vote on amendment - Five nays: Councilmembers Freese, Phillips, Kemp, Fitzgerald, and Dan Gray. Two ayes: Councilmembers Gary Gray and Moench. Motion failed.

Vote on original motion - Five ayes: Councilmembers Gary Gray, Phillips, Moench, Fitzgerald, and Dan Gray. Two nays: Councilmembers Kemp and Freese. Motion carried.

#13223. Councilmember Kemp moved that no appeal be filed against the proposed voluntary settlement of the Carver Pump Company Valuation as submitted by the Muscatine County Assessor's office. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#13224. Councilmember Phillips moved that the proclamations be approved declaring May 11-15, 1992 as "Police Week"; May 13, 1992 as "Excellence in Education Day"; May 10-16, 1992 as "Nursing Home Week"; May 1992 as "Motorcycle Awareness Month"; May 1992 as "International Museum Day"; and May 7, 1992 as "National Teacher Day". Seconded by Councilmember Fitzgerald. All ayes; motion carried.

Mayor Keig read the proclamation for "Excellence in Education Day".

#13225. Councilmember Freese moved the resolution be adopted accepting the public improvements in the Westfield Phase II Addition. Seconded by Councilmember Kemp. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13226. Councilmember Dan Gray moved the resolution be adopted approving the final development plat of the Champ de Reves Addition pending receipt of the letters of credit to ensure the installation of all public improvements. Seconded by Councilmember Fitzgerald.

City Administrator Johnson told Councilmembers they had before them draft copies of the letters of credit for the installation of sidewalks, streets and storm and sanitary sewer lines in the proposed subdivision. He pointed out that he does not anticipate any problems with these letters being received from the lending institution.

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

#13227. Councilmember Phillips moved the ordinance be approved on second reading consolidating the various Parks and Recreation commissions into one commission. Seconded by Councilmember Moench.

Councilmember Phillips stated that she had received a suggestion from an interested party who felt current members from the various commissions who are more experienced should be used when forming the new commission.

Mayor Keig agreed, pointing out that this matter will be discussed further following the final reading of the ordinance.

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

#13228. Councilmember Dan Gray moved the ordinance be approved on second reading amending subdivision regulations to include language requiring the televising of all sanitary and storm sewer lines regardless of size. 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.

#13229. Councilmember Kemp moved the ordinance be approved on final reading amending the peddler's license permit process and that it be published in the Muscatine Journal as required by law. Seconded by Councilmember Moench.

Councilmember Fitzgerald asked if there would be a problem positioning these people as requests increase.

City Administrator Johnson stated that City staff has mapped out the riverfront and interested parties will be assigned to an area.

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

#13230. Councilmember Phillips moved the resolution be adopted setting a public hearing on May 21, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning the assessment of weed mowing costs to private property owners. Seconded by Councilmember Gary Gray.

Councilmember Freese asked if interest will be charged on unpaid bills.

City Attorney Harvey Allbee, Jr., stated that interest will be charged once the amounts are assessed to the property owners.

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

#13231. Councilmember Dan Gray moved the resolution be adopted approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for May 19, 1992 at 10:00 a.m. for the receipt of bids for the 1992 street surfacing program. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13232. Councilmember Moench moved the resolution be adopted setting a public hearing on May 21, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning the removal of traffic control devices on East 4th Street from Cedar to Walnut streets in conjunction with the Veterans Plaza Jail Project. Seconded by Councilmember Freese. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13233. Councilmember Fitzgerald moved the resolution be adopted setting a public hearing on May 21, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning the proposed pistol range project. Seconded by Councilmember Moench. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13234. Councilmember Kemp moved to authorize the purchase of non-metallic components for a primary basin renovation project at the Water Pollution Control Plant. Seconded by Councilmember Phillips. All ayes; motion carried.

#13235. Councilmember Phillips moved the request be approved from Voss Environmental of Mount Pleasant, Iowa, for the placement of monitoring wells on City right-of-way at Warren Street and Grandview Avenue. Seconded by Councilmember Gary Gray. All ayes; motion carried.

#13236. Councilmember Phillips moved the request be approved declaring boat harbor finger dock sections as surplus property and allow for the advertisement and sale of these properties. Seconded by Councilmember Dan Gray. All ayes; motion carried.

#13237. Councilmember Fitzgerald moved to award the bid to Broders Excavating in the amount of \$5,600 for the installation of a septic system at the municipal golf course. Seconded by Councilmember Freese. All ayes; motion carried.

City Administrator Johnson, speaking in reference to Item 12L, pertaining to the development of a soccer complex within the City Limits, stated that representatives from the Muscatine Civic Foundation were present to review their ideas with City Council. He introduced Gary Carlson, Bill Hage and Bill Klatt.

Mr. Carlson thanked Councilmembers for the opportunity to present an update on the proposed development of a soccer complex in Muscatine. He explained the purpose of the Muscatine Civic Foundation, the official body promoting this project.

Mr. Carlson told Councilmembers that soccer is a growing sport in our community for both boys and girls, pointing out that there is a shortage of fields.

Mr. Carlson stated that the development of the proposed soccer complex is estimated to cost approximately \$3 million and it is believed that the Muscatine Civic Foundation will be able to raise these funds. He pointed out that the City has the experience to operate a facility of this type. The Foundation believes that the City would be the proper owner.

Mr. Carlson stated that soccer is a sport that is accepted for both boys and girls. He pointed out that the Hispanic population is also familiar with the sport. He stated that the Foundation believes that the creation of a soccer complex would create a positive activity for the community and would help alleviate some of the emerging gang problems.

Mr. Carlson stated that administrative and maintenance costs would be the City's responsibility.

Bill Hage, soccer coach at the high school, presented a developmental drawing of the proposed soccer complex. He stated that the property being considered for the complex is located at the intersection of Hershey Avenue and Houser Street, noting that the approximately 31 acres is owned by the Kent Stein Foundation.

Mr. Hage stated the complex would consist of two full size fields as well as four regulation size high school fields. He told Councilmembers that the fields would be irrigated which would allow a high level of use of the fields and would facilitate maintenance of the grass. He stated that the main entrance is proposed to be located off Houser Street and would have an administrative building, restrooms, locker rooms and storage building at that location. The proposal also includes a secondary access to be located off Bloomington Lane for maintenance purposes.

Mr. Carlson stated that the City's obligation would be the maintenance and administration of the facility and the budgeting of funds for maintenance costs.

Mr. Carlson stated that it is the Foundation's intent to raise sufficient funds to construct a building for equipment storage and to purchase equipment necessary to maintain the complex.

Mr. Carlson stated that other revenue sources do exist, noting that the building located at the entrance could also house concession stands.

Mr. Carlson stated that he had intended to ask City Council to approve the concept for the proposed soccer complex and to ask that they agree to the acceptance of the soccer complex when completed. He further stated that the decision was made to wait until further input from surrounding neighbors has been obtained, noting that residents at Sunset Park are

concerned about the safety of the children in that area. He asked if this matter could be placed on the agenda for the May 21, 1992 Regular Council meeting.

Councilmember Moench stated that the land proposed had been used for farming, noting that chemical grass control had been used on the soil. He asked Mr. Carlson if he felt grass could be grown on that land.

Mr. Carlson stated that a lot of dirt would have to be moved in the preparation of the fields, noting that he was not qualified to answer that question. He pointed out that the proposed complex is still in its preliminary stages.

Mr. Carlson told Councilmembers that the Foundation has negotiated an agreement with the person farming the land which would allow a break in the current lease and reimbursement for costs or lost profits generated from the property.

Councilmember Phillips asked what time of day tournaments would be held.

Mr. Hage stated that soccer tournaments usually begin in the middle of the afternoon and usually occur during a weekend.

Councilmember Phillips asked if there was any concern about traffic stemming from the Transfer Station.

Mr. Hage stated that the Foundation does not view traffic as a problem.

Mr. Carlson stated that it is anticipated that tournaments will be held in the future, pointing out that in 1993/94 soccer will become a sanctioned sport in the State of Iowa.

Councilmember Moench asked how many months out of the year the complex would be used.

Mr. Hage stated that the schedule would probably run concurrent with the Kent Stein Park usage (March to October). The current program at the YMCA includes a spring and fall soccer schedule.

Councilmember Moench asked how many girls went out for soccer this year and if the numbers are increasing.

Mr. Hage stated that last year approximately 48 girls played soccer and this year the number increased to approximately 64. In the boys' program the numbers jumped from approximately 68 to 83.

Mr. Carlson stated that it is anticipated that soccer will grow in this community and that at some point in time the City may actually have soccer leagues.

Councilmember Freese asked if there were any negative aspects as far as the neighborhood is concerned.

Mr. Hage stated that residents around that area have indicated some of their concerns. One concern was increased traffic on Bloomington Lane and keeping people attending a soccer match out of Sunset Park.

Councilmember Fitzgerald asked if six fields would be sufficient or will it be necessary to add more fields in the future.

Mr. Carlson stated that six fields is all the Foundation can afford at this time; however, this location would allow room for expansion if it is necessary.

There was discussion on other sites considered for the proposed complex.

Councilmember Dan Gray asked if this could be discussed at the May 14, 1992 In-Depth meeting.

City Administrator Johnson stated that the In-Depth meeting was scheduled for a joint meeting with the Muscatine County Board of Supervisors. He felt that the matter could be discussed at the May 21, 1992 Regular City Council meeting.

Dan Burnette, 222 Dillaway Street, stated that he has seen soccer grow in the community, noting that he felt Councilmembers should give serious consideration to this proposal.

A break was taken at 9:10 p.m., and the meeting reconvened at 9:20 p.m.

#13238. Councilmember Dan Gray moved the resolution be adopted authorizing the assessment of sidewalk installation costs on Fulliam Avenue against private property owners with the exception that Mrs. Max (Ruth) Christy's assessment be withdrawn until the drainage problem on her property is corrected. Seconded by Councilmember Fitzgerald.

City Administrator stated that once assessments are made against the property owners they do have 30 days in which to make payment. He pointed out that Mrs. Christy will still be responsible for the sidewalk installation costs.

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

#13239. Councilmember Phillips moved to authorize the solicitation of bids for the installation of a chain link fence between the entrance of the recreation area (upper loop) along the railroad tracks to the end of the recreation area. Seconded by Councilmember Kemp. All ayes; motion carried.

#13240. Councilmember Phillips moved the resolution be adopted setting a public hearing on May 21, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning the municipal airport improvement project. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

Councilmember Gary Gray stated that a citizen residing on the corner of Grand Avenue and Washington Street would like the City to establish where the curbline would be in front of his home in order to allow him to do some landscaping along his property.

Councilmember Dan Gray stated that he felt the new sidewalks in front of City Hall looked good.

Randy Hill, Public Works Director, thanked Councilmember Dan Gray and told him that he would pass the compliment on to the crew responsible for the sidewalk replacement.

Councilmember Fitzgerald stated that residents in the Mulberry School district would like a school crossing light installed.

Councilmember Moench asked if the doors at City Hall would be converted to electronically operated doors for the handicapped.

City Administrator Johnson stated that currently the doors are wide enough to allow for handicapped accessibility. He further stated that he could not say whether electronically operated doors will be necessary.

Councilmember Moench stated that he has talked with residents who are concerned about the care of the planters in the downtown area, noting that he has also talked with Larry Wolf, Director of Parks and Recreation.

Mr. Wolf told Councilmembers that he has received comments from people concerned about the upkeep of the planters. He stated that the Parks and Recreation Department does have a person responsible for planting and maintaining the planters, and she is aware of some of the problems being brought to our attention. He pointed out that the drought has created a problem. He stated that the City now has a watering system; however, there are other parts of the City that also require this employee's attention.

Mr. Wolf informed Councilmembers that the City has had people in the downtown area volunteer to care for the planters, noting that the Greater Downtown Muscatine Association has also been asked to help with keeping the plants watered. He pointed out there are a core of merchants in the downtown area doing an excellent job in maintaining the planters.

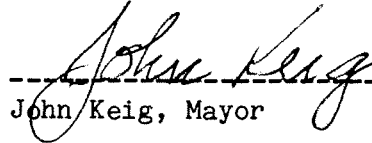
City Administrator Johnson reminded Councilmembers that Governor Terry Branstad will be at the Muscatine High School on Wednesday, May 13, 1992 to present the City with the "Safe City" award. The award is the result of work done by the Muscatine Substance Awareness Council.

City Administrator Johnson told Councilmembers that a joint meeting will be held with the Muscatine County Board of Supervisors at the May 14, 1992 In-Depth meeting to discuss a variety of issues. He requested that the Council meeting be scheduled to begin at 7:00 p.m. to incorporate department activities and that the joint meeting be scheduled to begin at 7:45 p.m.

#13241. Councilmember Kemp moved that the May 14, 1992 In-Depth meeting be scheduled to begin at 7:00 p.m. Seconded by Councilmember Freese. All ayes; motion carried.

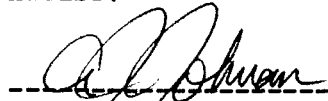
City Administrator Johnson, speaking in reference to the Consent Agenda, stated that the request from the Rajun Cajun Club for a new Class C liquor license will appear for final reading at the May 21, 1992 Regular Council meeting.

#13242. Councilmember Kemp moved the meeting be adjourned. Seconded by Councilmember Gary Gray. All ayes; motion carried.



John Keig, Mayor

ATTEST:



A.J. Johnson, City Administrator