

CITY OF MUSCATINE

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - May 3, 1984 - 7:30 p.m.

The meeting was called to order by Mayor Donald R. Platt.

Roll Call: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp present.

The opening prayer was given by Pastor Leland Eyres.

The Pledge of Allegiance was given.

Public Hearing

Mayor Platt announced the hearing was being held to receive public comment on the request to transfer CATV Franchise from ATC to Heritage Communications, Inc.

Niles McDonald, Vice President of Operations of Heritage Communications spoke in favor of the proposed transfer outlining the current operations of their systems in other communities. He commended the Muscatine Cable Commission for their excellent work and thoroughness in their review of the firm.

Jeff Martin, representing the Cable Television Advisory Commission, outlined priorities of the Commission in maintaining the level of services by the franchisee upon transfer to Heritage Communications. He reported that after extensive review by the Commission, assurances have been given of the continuation of quality services to subscribers. He gave the Commission's recommendation of approval of the proposed transfer.

John Fifer, 1005 Iowa Avenue, stated he had contacted the Cable Commission chairperson with his concerns on the new rock music cable channel. He cited sections of the Code concerning profanity and stated in his opinion it would not be censorship to discontinue receiving this station.

Stella Tobias, 1807 Logan, stated that her family enjoyed this channel and noted that many shows on network television also are somewhat risque.

#7105. Councilmember Waltman moved to close the public hearing. Seconded by Councilmember Kite. All ayes; motion carried.

Soren Wolff, City Administrator reported receiving a request from the attorneys for Ring King Visibles to delay the hearings on the request to rezone property near Lake Park Boulevard from R-3 to M-1 and the request for the vacation of Third Avenue Right-of-Way due to problems which had arisen in the transfer of some of the property.

#7106. Councilmember Amerine moved to cancel the public hearings on the request to rezone property near Lake Park Boulevard from R-3 to M-1 and the request to have Third Avenue Right-of-Way vacated. Seconded by Councilmember York. All ayes; motion carried.

Public Hearing

Mayor Platt announced the public hearing was being held to receive public comment on the request to rezone property at 1611 Cedar Street from R-3 to R-5.

Kevin Whittaker, Planning Administrator, gave a presentation showing the location of the property.

Dorothy Forrester, 1617 Cedar, spoke against the proposed rezoning stating it is a residential area and most of the residents have lived there at least twenty years. She also stated she felt there was no guarantee a clinic would be constructed and the rezoning would open up the property to other R-5 uses. She also noted anticipated parking problems.

Stephanie Murdock, 1430 Cedar, spoke against the proposed rezoning stating she felt there was an on-going building problem in this neighborhood with the construction of health centers and clinics. She noted a neighboring house which was used for transient intern housing and stated she felt homeowners were being pushed out of the neighborhood.

The written petition against the proposed rezoning containing eleven signatures was read.

There were no written petitions for the proposed rezoning.

#7107. Councilmember Kemp moved to close the public hearing. Seconded by Councilmember Amerine. All ayes; motion carried.

Public Hearing

Mayor Platt announced the hearing was being held to receive public comment on the proposal to install sidewalks at various locations in the City.

City Administrator Wolff presented general information on specifications for sidewalk construction, general location with respect to property lines, and other costs included in the estimates including sodding and retaining wall costs. He noted the estimates are on the high side and the actual costs will be passed on to the property owners with the option of spreading payments over a five year period. He noted that deferments can be applied for by the elderly or handicapped. He then showed maps of the City outlining areas with curbs and gutters, current areas with sidewalks and without sidewalks, and areas which are proposed for new sidewalk construction.

Mayor Platt announced that each area of proposed sidewalk construction would be considered in turn with citizens given an opportunity to speak on each proposal. He read the first proposed area: Fulliam Avenue from Meadow Lane to Kindler Avenue - option north or south side.

Dennis Kistenmacher, 2422 W. Fulliam, spokesman for a group of residents on the south side of Fulliam stated they would like to have the sidewalk constructed on the north side of the street. He cited reasons including (1) there being less developed property on the north side and the opinion that sidewalk installation should be completed during the development of property, (2) additional costs to homeowners for trees and shrubberies which will be affected by the proposed construction, and (3) safety for school children, noting crossing areas on Fulliam and Kindler. He stated that they felt that it would be safer for the school children if the sidewalk were constructed on the north rather than south side.

John Watson, 2119 W. Bay Drive, spoke on behalf of the Board of Directors of the Muscatine Community Schools in their concern for the safety of children on their way to schools. He outlined State rules for schools to follow in transporting students to the schools.

Councilmember Sayles questioned if crossing guards were being used at McKinley School.

Watson stated that they were used mainly at Jefferson and Grant Schools. He outlined the requirements for use of children as crossing guards stating they were not allowed in the streets and could only direct children when it was safe to cross.

City Administrator Wolff noted that the proposed sidewalk will not solve all the problems in the area because a pedestrian problem will still exist from the housing project at Houser and Fulliam which is not proposed for sidewalk construction at the current time.

Councilmember Kite noted that in looking at long range plans in extending the sidewalk from Green Acres to Houser it would seem ludicrous to install the sidewalk on the south side which is agricultural land when the north side is developed and this may be a consideration in making the decision on the current sidewalk installation.

City Administrator Wolff noted that not until 1976 were sidewalks required during new construction in the subdivision ordinance.

Councilmember Kite stated he felt that due to the terrain of the streets, and for safety reasons it would be better to have the sidewalk on the north side.

Mayor Platt announced the next section of proposed sidewalk construction to be considered: Logan Street from Cedar to Fulliam.

City Administrator Wolff outlined the area involved and a possible alternative to obtain an easement to cross several parcels of property. He noted problems in the area of houses which were constructed too close to the street on the west side.

Mayor Platt referred councilmembers to copies of the written petitions which had been filed from the following: (1) McKee Enterprises, Inc. by Harry L. McKee against the proposed sidewalk crossing through his property, (2) Residents of the west side of Logan Street requesting that sidewalk be placed on the east side of Logan - 13 signatures, and (3) Wilbert J. Thomas, 1815 Logan Street against the proposal to construct sidewalks on the east side of Logan Street.

Dorothy Thomas, 1815 Logan, spoke against the proposed sidewalk construction noting safety reasons for children crossing and re-crossing the street. She also noted the disruption of resident's yards, trees, and terraces. She stated she was opposed to having sidewalks on either the east or west side of the street.

Stella Tobias, 1807 Logan, stated that her sons were in high school and would not use the proposed sidewalk. She noted safety hazards in having persons cross Logan when many cars travel faster than the speed limit and cars which would be unable to stop when streets were slippery in the winter. She stated that she felt it would be better for the sidewalk to be on the west side but noted that those residents would not have much area for them in their front yards.

Barbara Conrad stated that she and her sisters are owners of the property at the corner of Cedar and Logan Streets. She expressed her concerns for the safety of the children who mainly live on the west side of the street. She stated she felt that the sidewalk should be on the west side so the children do not have to cross in the middle of the street.

Fred Bunn, 1822 Logan, stated his concerns on the terraces and banks on the west side of the street in addition to driveways. He stated he currently has problems with freezing water pipes and he felt that this risk would increase with construction of the sidewalk.

Mr C.E. Fischer, Colver Street, spoke representing his daughter Judy Mathes, 1811 Logan Street. He stated the costs would be greater for constructing sidewalks on the west than the east side. He stated that they were not against sidewalks but were concerned for the safety of the children in crossing and re-crossing the streets.

Jose Olvera, attorney representing Darwin T. Lynner Co., owners of Cedar Hills and Cedar Park Apartments spoke in opposition to the alternative plan of installation of sidewalks on an easement through private property. He cited concerns for increased vandalism, increased liability for property owners, problems with drainage in terraced areas due to construction, and the need for lighting of these walks for safety reasons. He stated that his clients would not consent to the easement.

Councilmember Waltman commented on the expense if sidewalks would be installed on the east side of the street in moving eleven utility poles. He stated that with the need for pedestrians to cross the streets that this would not be making the area safer and that he could not go along with the sidewalk construction on either side of the street.

Councilmember Sayles agreed with Councilmember Waltman and stated she did not feel that safety would be improved with children needing to cross the streets.

Councilmember Kite concurred with above statements and suggested more study to find a more viable option.

City Administrator Wolff stated that comments were valid but that no other alternatives were available. He noted that in conjunction with each of the proposed sidewalks, traffic control matters such as pedestrian crossing zones or signals would need to be addressed.

Stella Tobias, 1807 Logan, noted that signs would not be able to prevent accidents if the streets were icy.

Tony Steckman, 1604 Foster, stated that students do walk on the streets now with cars getting really close to them and in the winter it is especially treacherous.

Councilmember Kemp noted that it is not just children using the sidewalks but the elderly, joggers, preschool children, and others. He added that more than the current age of children now living in a neighborhood should be considered since neighborhoods change.

Mayor Platt announced the next area to be considered for comment would be on Cedar Street from Fulliam Avenue to Parham on the south side.

City Administrator Wolff stated that if sidewalks are currently in place, the City will pay to replace them if required.

Dr. William Catalona, 1608 Cedar, questioned the need for sidewalks from Fulliam to Parham and where these sidewalks were leading. He expressed concern for homes which were close to the paths of the sidewalks. He requested information about the studies for the need and necessity of sidewalks at this location.

Dr. Eugene Shay of Shay Chiropractic Arts, 1300 Cedar, reviewed the procedures followed during the construction of their facility to comply with regulations. He stated that the widening of Cedar Street has taken two feet from the frontage of the property and the construction of new sidewalk would further reduce frontage and destroy the driveway. He stated he felt it was unfair when they complied with all requirements and attempted to anticipate the installations of sidewalks but were faced with changes not under their control.

Dale Smith, 1432 Cedar, spoke against the proposed sidewalk construction noting the trees which will need to be moved, in addition to utility poles. He stated that only four children live in the area and they use alternate means of transportation. He added that this would affect available parking for residents on that side of street.

Stephanie Murdock, 1430 Cedar, stated there were only five children from Fulliam to Parham and that parking would be a problem with cars overhanging into the street and additional problems with parking in the winter. She added that she felt there would be an increase in vandalism and that joggers would continue running in the streets and not use the sidewalk. She stated she did not see a need for sidewalks on both sides of the street.

Virginia Lippelgoes, 1602 Cedar, stated she did not see the need for this proposed sidewalk since there was a sidewalk on the other side.

LaVern Lippelgoes, 1602 Cedar, stated that he currently has space to park one car in front of his house and the sidewalk would take this parking away. He added that there is no access to the rear of the property.

Al Schlegel, 1600 Cedar, questioned where the sidewalk would lead and stated that the sidewalk across the street is not used a great deal. He added he landscaped his property without plans for sidewalk installation and the proposed sidewalk would allow no place for parking his car without blocking the sidewalk.

Councilmember Waltman stated he has always voiced objection to this installation and questions the City portion of the costs and Muscatine Power & Water's costs for moving utility poles when a sidewalk is already in place on the other side of the street.

Stella Tobias, 1807 Logan, questioned statements by Councilmember Kemp regarding users of sidewalks and changing of homeowners. She stated that residents in this area have not been moving and that most have lived there 15 to 20 years. She stated she felt joggers would not necessarily use the sidewalks if they were available.

Paul Lane, representing Mrs. R.C. Martin, 1414 Cedar, stated that a sidewalk currently exists in front of this residence and they do not see the need for the new sidewalk which would be closer to her home and would leave little room for parking of her car. He noted that the sidewalk on the other side is not used too often.

City Administrator Wolff reviewed the reasons for proposal of sidewalks in the area which dealt with bicycle and pedestrian traffic to the high school. He reviewed the agreement with the State that Cedar Street would be taken off of the State Highway system upon completion of the By-Pass and that plans include the upgrading of Cedar Street before the transfer back to the City. He noted that as a part of this upgrading, a six foot apron would be added to each side to allow for bicycle and pedestrian traffic. He stated that City staff is aware of the problems with utility poles and other obstacles.

Dr. William Catalona, 1608 Cedar, questioned if persons realized the problems with six trees and sidewalks which would be against front windows of houses and stated he felt this was not a reasonable type of sidewalk to build.

There was discussion on how much pedestrian traffic there is in this area.

Councilmember Sayles stated there is a minimum of 15 to 20 students walking home after school.

Councilmember Kemp stated that with the 9th Grade being added to the high school with most students not old enough to drive that there would be more students walking, riding bicycles, or riding mopeds to school.

Dorothy Forrester, 1617 Cedar, questioned why sidewalks were being proposed on both sides in this area and proposed for only one side in other areas.

Mary Newell, 3225 Mulberry, questioned the issues being raised concerning the sidewalks. She stated that many persons besides children use sidewalks and that a few years ago a girl was killed while walking along Lake Park Boulevard where no sidewalks were available to use. She questioned the importance of money and yards as opposed to a human life. She stated that there are no sidewalks along Mulberry Avenue currently, but she would like to see them constructed there.

Stephanie Murdock, 1430 Cedar, noted that the speed limit changes from 35 mph to 25 mph at Cedar and Parham and expressed her concerns that children would be crossing the street in a 35 mph speed zone. She stated that both of her children had been hit by cars.

Mayor Platt announced the next sidewalk area to be considered would be Isett Avenue from Bidwell to Clay Street - both sides.

City Administrator Wolff outlined areas for the proposed sidewalk construction noting that sidewalks are proposed on both sides of the street where there is high traffic volume to avoid the need for crossing and re-crossing streets.

There were no oral statements for or against the proposal.

Mayor Platt referred Council to copies of the written petition from R-M Realty, Inc. by Robert F. Kaufmann concerning Lots F and G on Isett Avenue.

Councilmember Waltman questioned the proposed sidewalk plans for the area from the gas station to the former grocery store location.

City Administrator Wolff stated that the current plans have the sidewalk going through the island in front of the service station but he felt that the City may be able to work around the island.

Mayor Platt announced the next area to be considered would be on Clay Street from Isett Avenue to Highway 61 - both sides.

Henry Pallischeck, 1422 King Avenue, objected to the closeness of the proposed sidewalk to his home for privacy reasons. He noted that currently children do not use the sidewalks but go across yards. He read and presented a petition objecting to the installation of sidewalks signed by 19 owners of real estate in this area.

Mrs. Alberta Ross, 1421 First Avenue, stated that the cost of the sidewalk would be a hardship for persons living on close budgets, noting the estimated assessment for her property was equal to a year's grocery budget. She stated

that a wedge-shaped portion of property does not belong to her but belongs to the City. She added that there are no school children living in the area, only older persons on fixed incomes.

City Administrator Wolff stated that Mrs. Ross raised a legitimate point and due to the turn in the street, a portion of the property is City right-of-way.

Kenny Sayers, 1501 First Avenue, stated that he lived on the curve in the street and that if a sidewalk was constructed on his side there would not be anything left.

Harvey Daufeldt, 618 Clay, stated he owns property on both sides of the street and requested Council to consider installation of sidewalk on one side of the street only.

John Wingerter, 415 Clay, questioned if staff knew of existence of current sidewalks on some of the property and asked about plans for sidewalk for the bridge on Clay Street.

City Administrator Wolff stated that the City would pay the cost of constructing new sidewalks if the existing sidewalks needed to be removed to meet new grades.

Rob McDonald, Assistant City Engineer, reported that plans for the sidewalk at the bridge would be to taper it toward the curb to the bridge.

Henry Pallischeck, 1422 King Avenue, questioned the requirement for six bags per yard and how this was derived.

Mayor Platt referred this to the Engineering Department.

Patty Trimble, 1431 Grand Avenue, stated she was opposed to the sidewalk construction for cost reasons. She noted that there was insufficient room for sidewalks and that trees would need to be removed which would further decrease the sound barrier against traffic noises to her home.

There was discussion on specific depths of the sidewalks from the curb.

Carl Daggs, 423 Clay, questioned how far back the sidewalk needed to be from the curb.

City Administrator Wolff stated that staff of the Engineering Department would be available to go to each location and set up stakes to show correct locations.

Mayor Platt announced the next section of proposed sidewalk would be on Park Avenue (U.S. 61) from Lake Park Boulevard to Clay Street on the west side.

City Administrator Wolff outlined the area involved in this proposed construction.

Mayor Platt referred Council to copies of the written petition from William M. Hines, 1820 Park Avenue, objecting to the proposed placement of sidewalk on the west side of Park Avenue fronting his property.

Bill Lowe, of the Muskie Motel, 1620 Park Avenue, questioned the exact location of the proposed sidewalks.

City Administrator Wolff stated that City staff could stake the location of the sidewalks.

Mayor Platt announced the next area to be considered would be on Colorado Street from Park Avenue (U.S. 61) to Colorado School - Option north or south side.

Hylan Phillips, owner of property on both sides of the street at this location, requested sidewalk be constructed on the north side of the street noting drainage problems and safety reasons. He stated he was willing to put the sidewalk in but urged Council to consider the north side of street option.

City Administrator Wolff outlined the schedule which would need to be followed to complete these portions of the sidewalk program, noting that with the schedule costs would not be on assessment roles until October, 1985.

#7108. Councilmember Kite moved to close the public hearing. Seconded by Councilmember Waltman. All ayes; motion carried

There was a 10 minute recess.

#7109. Councilmember Amerine moved to approve the Minutes of the April 12, 1984 In-Depth Council Meeting. Seconded by Councilmember Powell. All ayes; motion carried.

#7110. Councilmember York moved to approve the Minutes of the April 19, 1984 Regular Council Meeting. Seconded by Councilmember Sayles. All ayes; motion carried.

Item 11F on the agenda was considered out of order at this time.

#7111. Councilmember Waltman moved to proceed with the sidewalk program at Fulliam Avenue from Meadow Lane to Kindler Avenue on the north side of Fulliam. Seconded by Councilmember Kemp. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#7112. Councilmember York moved to proceed with construction of sidewalks on the west side of Logan Street from Cedar to Fulliam.

City Administrator Wolff stated that due to lack of notification of all property owners on the west side, it was not possible to consider the installation on the west side only.

Motion died for lack of second.

#7113. Councilmember Kite moved to table until the In-Depth Council Meeting consideration of the construction of sidewalks on Logan Street from Cedar to Fulliam. Seconded by Councilmember Kemp. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#7114. Councilmember York moved not to proceed with sidewalk program on Cedar from Fulliam Avenue to Parham on the south side. Seconded by Councilmember Powell. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#7115. Councilmember Kite moved to proceed with the sidewalk program on Isett Avenue from Bidwell to Clay Street - both sides. Seconded by Councilmember Sayles. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#7116. Councilmember Sayles moved to table until the In-Depth Council Meeting consideration of the sidewalk program on Clay Street from Isett Avenue to Highway 61 to consider installation on one side only. Seconded by Councilmember York. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#7117. Councilmember Sayles moved to proceed with the sidewalk program on Park Avenue (U.S. 61) from Lake Park Boulevard to Clay Street on the west side. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#7118. Councilmember Kemp moved to proceed with the sidewalk program on Colorado Street from Park Avenue (U.S. 61) to Colorado School on the north side of the street. Seconded by Councilmember Waltman. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

City Administrator Wolff stated that the Resolution of Necessity would be considered after decisions had been reached on each segment of the sidewalk program after further discussion at the In Depth Council Meeting.

Item 11D on the agenda was considered next.

#7119. Councilmember Waltman moved the ordinance be denied to rezone property at 1611 Cedar Street from R-3 to R-5. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and ordinance denied.

#7120. Councilmember Kemp moved to approved the request for new Sunday Sales Permit for Bloomington Journal, 215 Iowa Avenue. Seconded by Councilmember Sayles. All ayes; motion carried.

#7121. Councilmember Kite moved to table until the next Council Meeting the request for new Class "C" Beer and Sunday Sales Permit for Petro-N-Provisions, 501 Cedar Street - C.G. C Stores. Seconded by Councilmember Sayles. All ayes; motion carried.

#7122. Councilmember Amerine moved to approve the request for renewal of Class "C" Beer and Sunday Sales Permit for Grandview Oil, 709 Grandview - Muscatine Oil, Inc. Seconded by Councilmember Powell. All ayes; motion carried.

#7123. Councilmember Sayles moved to table until the next Council Meeting the requests for new Class "C" Liquor License for the Sandmound Restaurant and Lounge, 3409 Grandview Avenue - Kenneth McKinney and new Class "C" Beer and Sunday Sales Permit for Petro-N-Provisions, 709 Grandview Avenue - C.G. C Stores. Seconded by Councilmember York. All ayes; motion carried.

#7124. Councilmember Waltman moved to approve the request for use of City right-of-way for the YMCA 5K and 10K road race on June 2, 1984 subject to the provision the YMCA coordinates traffic control with the Police Department. Seconded by Councilmember Kite. All ayes; motion carried.

#7125. Councilmember Kemp moved to approve the resolutions for cigarette permits for the Holiday Station, 503 Grandview, Petro-N-Provisions, 501 Cedar, and Petro-N-Provisions, 709 Grandview. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and resolution duly adopted.

#7126. Councilmember Kite moved to approve the proclamations from the Mayor declaring May 20-26, 1984 as "Public Works Week" and the month of May as "Better Hearing and Speech Month." Seconded by Councilmember York. All ayes; motion carried.

City Administrator Wolff requested consideration of item 11A on the agenda for the final reading of the ordinance to rezone approximately 100 acres of land at Hershey and Houser to be delayed until the next Council meeting as requested

by the Muscatine Development Corporation to allow more time to finalize provisions with the property owner.

#7127. Councilmember Sayles moved to table until the next Regular Council meeting consideration of the ordinance on final reading for the rezoning of approximately 100 acres of property at Hershey and Houser Street. Seconded by Councilmember Amerine. All ayes; motion carried.

Item 11B and 11 C were deleted from the agenda and replaced with consideration of resolution to reschedule public hearing for June 7, 1984 on the request to rezone property near Lake Park Boulevard for Ring King Visibles.

#7128. Councilmember Powell moved to approve the resolution setting a public hearing for June 7, 1984 on the request to rezone property near Lake Park Boulevard from R-3 to M-1 for Ring King Visibles. Seconded by Councilmember Sayles. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and resolution duly adopted.

#7129. Councilmember York moved to approve the ordinance on first reading to amend Title 5, Chapter 19, Cable Television Franchise, Section 6. Seconded by Councilmember Kemp. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and ordinance approved on first reading.

#7130. Councilmember Waltman moved to consider the resolution to approve transfer of the cable television system franchise at the In-Depth Council meeting on May 10, 1984. Seconded by Councilmember Powell.

City Administrator Wolff questioned if Council would like the Cable Television Commission to be in attendance at the In-Depth meeting. There was concensus that this would not be necessary with Mayor Platt and Councilmembers expressing confidence in the efforts this commission has put forth to reach this agreement.

There was discussion if Councilmembers wished to consider approval of the resolution at this time instead of delaying to the In-Depth meeting.

Councilmember Waltman withdrew his previous motion. Councilmember Powell withdrew his second of the motion.

City Attorney Allbee reviewed information distributed to Council regarding the proposed transfer of cable franchise noting that Heritage Communications has accepted or modified the documents Muscatine Cablevision had agreed to and these were incorporated in the book referred to by the proposed resolution.

#7131. Councilmember Waltman moved the resolution be adopted approving and confirming transfer and assignment of the cable television system franchise to Heritage Cablevision, Inc. Seconded by Councilmember Powell. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and resolution duly adopted.

#7132. Councilmember Amerine moved the resolution be adopted approving the agreement with CH2M Hill in an amount not-to-exceed \$368,000 with the amount to be funded from the Water Pollution Control Plant Renovation Fund. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and resolution duly adopted.

#7133. Councilmember Powell moved the Waste Water Treatment Chief be temporarily assigned as resident inspector for the duration of the Water Pollution Control Plant Renovation project and be moved from Pay Grade 9 to 11 on the Supervisory Pay Plan in accordance with the conditions as outlined in the May 1, 1984

letter to the Waste Water Treatment Chief from the City Administrator. Seconded by Councilmember Kemp. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#7134. Councilmember Amerine moved the resolution be adopted declaring the necessity and directing the preparation of the Revitalization Plan for Phase II of the plan along the U.S. 61 Corridor and a public hearing be set for June 7, 1984. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#7135. Councilmember York moved the resolution be adopted approving the position of Training Officer in the Fire Department and the pay schedule as indicated subject to union ratification of the pay schedule. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and resolution duly adopted.

#7136. Councilmember York moved the resolution be adopted entering into an agreement with the Iowa Department of Transportation for the installation of traffic signals on the U.S. 61 By-Pass. Seconded by Councilmember Sayles. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and resolution duly adopted.

#7137. Councilmember Powell moved to approve the list of three individuals certified by the Plumbers Board of Examiners for their Journeyman's Licenses. Seconded by Councilmember Sayles. All ayes; motion carried.

#7138. Councilmember Kemp moved to approve the curb cut request on Park Avenue (U.S 61) near McArthur Street from Aldi Food Store. Seconded by Councilmember Powell. All ayes; motion carried.

#7139. Councilmember Amerine moved the resolution be adopted authorizing refund of payment for vacated real estate to Mr. and Mrs. Jerry Doerring. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and resolution duly adopted.

#7140. Councilmember Powell moved to receive and file communications A through L. Seconded by Councilmember Sayles. All ayes; motion carried.

#7141. Councilmember Kemp moved to approve bills totalling \$634,387.05 and authorize the Mayor and City Clerk to issue warrants of the same. Seconded by Councilmember Waltman. All ayes; motion carried.

Councilmember Kemp stated he had received communication from John Fifer regarding limbs hanging over sidewalks and requested public notice be given so property owners could take care of this problem.

Councilmember Kite stated he had received questions about dirt removal along Tipton Road and would forward the name of the individual to City staff after the meeting.

Councilmember Powell questioned if there was an agreement with St. Mathias concerning curb and gutter work on 8th Street.

City Administrator Wolff stated that this was included in the curb and gutter program and would check into where it was on the schedule.

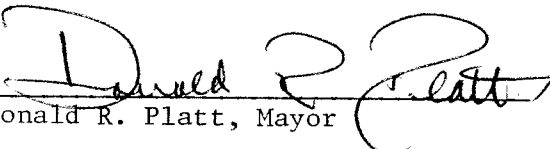
City Administrator Wolff thanked Arlen Wiggs for his eight years of service as Community Development Director and noted accomplishments in the areas of public housing, the Franklin School Target Area, and the Mad Creek Target Area.

Mayor Platt also commended Arlen Wiggs for his service to the City noting that he had been instrumental in bringing in over \$10 million in federal funds to the community.

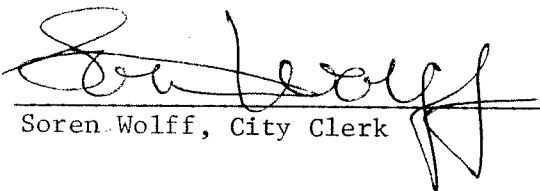
#7142. Councilmember Waltman moved to go into executive session to establish fair market value for property to be purchased for the Water Pollution Control Plant. Seconded by Councilmember Waltman. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#7143. Councilmember Kite moved to go out of executive session. Seconded by Councilmember York. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#7144. Councilmember Waltman moved to adjourn the meeting. Seconded by Councilmember Sayles. All ayes; motion carried.


Donald R. Platt, Mayor

Attest:


Soren Wolff, City Clerk