

CITY OF MUSCATINE
REGULAR MONTHLY SESSION OF CITY COUNCIL
Council Chambers - February 6, 1992 - 7:30 p.m.

Larry Kemp, Mayor Pro Tem, 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. Carl Moore of the Chapel of Praise Church.

The Pledge of Allegiance was given.

#13084. Councilmember Phillips moved to approve the minutes of the January 16, 1992 Regular City Council meeting and the January 9, 1992 In-Depth meeting. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#13085. Councilmember Fitzgerald moved to approve the Consent Agenda as follows: renewal of Class C beer and Sunday sales permit for Petro-N-Provisions, 1010 Park Avenue; renewal of Class C liquor license for Muscatine Labor Activities, 222 West 2nd Street; request from Kidney Foundation Car Show Committee for sales on City property in conjunction with their car show to be held on the Riverfront on July 11-12, 1992; request from chairpersons for the Third Annual Hayes Nun Run to be held on Saturday, April 11, 1992 beginning at 10:00 a.m.; filing of Communications A-J; and bills totaling \$802,336.17. Seconded by Councilmember Freese. All ayes; motion carried.

PUBLIC HEARING

Mayor Pro Tem Kemp stated that a public hearing was being held concerning the City's Capital Improvement Program (CIP) for fiscal years 1992-1997.

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

#13086. Councilmember Moench moved the public hearing be closed. Seconded by Councilmember Dan Gray. All ayes; motion carried.

PUBLIC HEARING

Mayor Pro Tem Kemp stated that a public hearing was being held concerning the proposed vacation of public right-of-way to the Veterans Plaza Authority.

Kevin Whittaker, Director of Planning and Community Development, presented an overhead showing the location of the right-of-ways proposed for vacation. He told Councilmembers that the Planning and Zoning Commission has reviewed the proposed request and has also received input from residents living in that area. He stated that one concern expressed related to access to the properties. The City and Veterans Plaza Authority

mutually agreed to proceed with the vacation process; however, the City would not transfer the deed until all the private properties have been acquired.

Mr. Whittaker told Councilmembers that approximately 31,000 square feet of property will be involved with the transfer and would have an estimated value of approximately \$75,000. He pointed out that the property will be transferred for a nominal fee of \$1.00.

Chuck Coulter, an attorney representing the Veterans Plaza Authority, spoke in favor of the proposed vacation and transfer of property. He stated that the City's offer to make the property available to the Veterans Plaza Authority was instrumental in allowing the construction of a new jail in downtown Muscatine.

Mr. Coulter told Councilmembers that the Authority is currently in the process of acquiring the property in that area, noting that 14 of 22 parcels have already been obtained. He stated that the Authority agrees with Mr. Whittaker's recommendation to proceed with the vacation process with the understanding that the deed will not be transferred until all property has been acquired.

There were no written petitions for or against the proposed vacation of the right-of-ways.

#13087. Councilmember Phillips moved the public hearing be closed. Seconded by Councilmember Freese. All ayes; motion carried.

#13088. Councilmember Fitzgerald moved the proclamations be approved declaring February 16-22, 1992 as "Engineers Week" and February 9-15, 1992 as "Distributive Education Clubs of America Week". Seconded by Councilmember Freese. All ayes; motion carried.

#13089. Councilmember Phillips moved to approve the appointments of the following people to various boards and commissions: Planning and Zoning, Betty Bright, term expiring December 31, 1996; Transportation, Kathy Dieters and Bob Allbee, terms expiring February 6, 1992; Electrical Licensing, Tim Young, term expiring December 31, 1992; Muscatine Housing Advisory Agency, Steve Welk, term expiring December 31, 1996; Cemetery Advisory, Mary Ann Schepers, term expiring December 31, 1995; Fire Code Board of Appeals, reappointment of Wayne Schoultz, term expiring January 1, 1995; Muscatine Art Center, Richard Bunn, term expiring July 1, 1992; and Zoning Board of Adjustment, Kirk Ziegler, term expiring December 31, 1994. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

#13090. Councilmember Freese moved to approve easements for the Geneva Creek Sanitary Sewer Extension Project with Robert Jensen, Ivan Klein and the Geneva Golf and Country Club. Seconded by Councilmember Moench.

City Administrator A.J. Johnson asked that K.C. Investments be included with the motion.

Both Councilmembers Freese and Moench agreed to the addition of K.C. Investments.

Vote - All ayes; motion carried.

#13091. Councilmember Fitzgerald moved the resolution be adopted setting a public hearing on February 20, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning the proposed vacation and transfer of public right-of-way on Lake Park Boulevard. Seconded by Councilmember Phillips. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13092. Councilmember Phillips moved the ordinance be approved on first 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 first reading.

#13093. Councilmember Dan Gray moved the ordinance approved on second reading amending the human rights ordinance to bring it into compliance with the state statutes. Seconded by Councilmember Phillips. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and ordinance approved on second reading.

City Administrator Johnson presented an overview of charts and graphs pertaining to the proposed fiscal year 1992/93 budget.

There was discussion on the information presented.

Councilmember Kemp asked for an explanation of the rollback factor.

City Administrator Johnson stated that the rollback factor is an annual state mandated adjustment to property values, noting that residents are paying taxes for approximately 73% of the true property value. He stated that discussion is now taking place in the State Legislature as to whether the rollback should continue or be scaled back.

City Administrator Johnson stated that the budget review sessions will begin at 8:00 a.m. Saturday and are open to the public.

#13094. Councilmember Freese moved the resolution be adopted setting a public hearing on February 20, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning the proposed Kent Stein Park Rehabilitation Project. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13095. Councilmember Phillips moved to authorize the purchase of software for the City's housing operation from Memory Lane Systems in the amount of \$11,459. Seconded by Councilmember Dan Gray. All ayes; motion carried.

#13096. Councilmember Gary Gray moved to approve the formation of a transfer station design review committee and that the committee be comprised of Steve Boka, Ray Childs, Lavene Payne and James Harder. Seconded by Councilmember Phillips.

Councilmember Phillips asked if personnel at the landfill would be involved with this committee.

City Administrator Johnson stated that landfill personnel would be acting in conjunction with this committee, noting that the committee's main purpose will be working with the consultant on the design of the new transfer station. He further stated that other members of City staff will be available to add whatever ideas they can to the project to ensure that everything is done properly.

Councilmember Kemp stated that there are also members of the Solid Waste Management Agency who could add their expertise to this project.

Councilmember Phillips asked if surrounding communities would be contacted concerning some of the pitfalls involved with a transfer station.

Randy Hill, Public Works Director, stated that the City's transfer station will be the first of its size constructed in eastern Iowa. He told Councilmembers that he has been meeting with City personnel and haulers on a regular basis, noting that everyone affected by the transfer station will have an opportunity to review the design. He told Councilmembers that a neighborhood meeting will be held for those residents living near the transfer facility. He then stated that he felt the people recommended for the review committee are very competent.

Councilmember Moench asked how long the City would be hauling its solid waste and if the City would be guaranteed a place to dispose of it.

Mr. Hill stated that there are no guarantees. He stated that the best way to control where we haul our waste would be in how we handle it. He told Councilmembers that the City needs to be looking at other options for dealing with solid waste, such as incineration.

Mr. Hill told Councilmembers that Request for Proposals (RFPs) are currently being compiled and will be sent to area landfills to determine the cost and period of time the City and County would be able to haul to a particular landfill. He stated that until that time there are no guarantees on where our waste could be hauled.

Vote - All ayes; motion carried.

#13097. Councilmember Moench moved to approve the resolution approving the plans, specifications, form of contract, cost estimate and setting the bid opening date for receipt of bids for the Geneva Creek Sanitary Sewer Project for March 3, 1992 at 10:00 a.m. Seconded by Councilmember Freese. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

#13098. Councilmember Phillips moved the resolution be adopted setting a public hearing on February 20, 1992 at 7:30 p.m. in the City Hall Council Chambers concerning the adoption of building, plumbing and mechanical codes. Seconded by Councilmember Fitzgerald.

Steve Boka, Building and Zoning Administrator, told Councilmembers that the City has chosen to adopt a national building code and has been associated with the International Conference of Building Officials. He stated that the national code has been adopted by a majority of states and many foreign countries.

Mr. Boka stated that the City has chosen to adopt the building code by reference; however, some local adjustments are needed. He explained what amendments were necessary before the ordinance adopting the building code could be approved.

Mr. Boka told Councilmembers that the plumbing code would also be adopted by reference. He stated that the City's amendment to the code would allow homeowners to install their own plumbing; however, if they choose not to do the plumbing, they would be required to contract with a licensed plumber.

Mr. Boka then stated that the mechanical code would be adopted by reference as presented.

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

Councilmember Gary Gray stated that he had been contacted by a resident who owns property on East 2nd Street on the north side of Mad Creek. The property owner has asked if the street extension could be paved, noting that the traffic is damaging his apartment. He then stated that a sinkhole is developing at the intersection of East 10th and Cypress streets and residents are concerned about dirt falling into the open sewer.

City Administrator stated that he would look into both matters.

Councilmember Freese asked for an update on the security system at the Clark House.

Jack Paetz, Housing Administrator, told Councilmembers that the intercom system has been modified and updated, alarms have been installed on the smoke tower and the elevator has been adapted so that access to the elevator after 11:00 p.m. and before 5:00 a.m. is by key only.

Councilmember Moench asked what the City's policy was on salting City streets.

Randy Hill stated that the City's snow and ice control policy was adopted in 1986. He told Councilmembers that the City's night crew operates from December 1 to April 1. He stated that during a typical storm, the trucks can apply 60 tons of salt on its six routes, noting that this winter approximately 750 tons of salt have been used. He pointed out that storms are tracked throughout the day.

Mr. Hill stated that the City uses a calcium chloride liquid that is applied to the salt to reduce salt usage. He told Councilmembers that once temperatures drop below zero salt is no longer applied to the streets. He explained that salt is applied to the streets with snow removal to follow.

Mr. Hill explained the various products available for snow and ice control and their costs. He stated that there are two less expensive options. He told Councilmembers that both sand and cinders are a good form of snow and ice control; however, they do have their drawbacks and he went on to explain what those are.

Councilmember Kemp asked why salt trucks are sometimes out before a storm strikes.

Mr. Hill stated that when it is obvious that there is a storm moving in, the City begins applying salt right away.

Councilmember Moench stated that on January 22, 1992 he and Councilmember Fitzgerald attended a seminar in Fairfield. He explained items that were covered during the seminar.

City Administrator Johnson asked Councilmembers to adopt the resolution outlining the Capital Improvements Program (CIP) for fiscal years 1992-1997.

#13099. Councilmember Phillips moved the resolution be approved adopting the Capital Improvements Program (CIP) for fiscal years 1992-1997. Seconded by Councilmember Moench. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, Fitzgerald, and Dan Gray. Motion carried and resolution duly adopted.

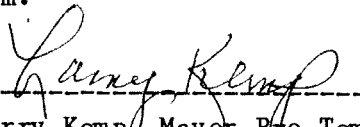
Councilmember Kemp asked if anything had been done about the intersection at Isett Avenue and Bidwell Road.

Randy Hill stated that a study had been done on the signalization at that intersection and information would be provided to Councilmembers in the near future.

Councilmember Kemp stated that he felt another traffic item which warrants attention would be the widening of Leroy Street or other alternatives for improving the street.

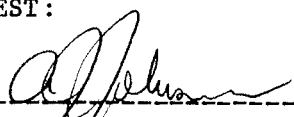
#13100. Councilmember Freese moved the meeting be adjourned. Seconded by Councilmember Dan Gray. All ayes; motion carried.

The meeting adjourned at 9:00 p.m.



Larry Kemp, Mayor Pro Tem

ATTEST:



A.J. Johnson, City Administrator