

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers - March 18, 1993 - 7:30 p.m.

Mayor John Keig called the meeting to order.

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

Councilmember Freese gave the opening prayer.

The Pledge of Allegiance was given.

#13601. Councilmember Kemp moved to approve the minutes of the March 4, 1993 Regular City Council meeting and the March 11, 1993 In-Depth Council meeting. Seconded by Councilmember Dan Gray. All ayes; motion carried.

#1302. Councilmember Phillips moved the Consent Agenda be approved as follows: Renewal of Class C liquor license for Edward's Tavern, 207 Mulberry Avenue (pending inspections); renewal of Class C liquor license and Sunday sales permit for Diamond Dave's Taco Co., Muscatine Mall (pending inspections and receipt of insurance certificate); renewal of Class C beer and Sunday sales permit for Meerdink's Amoco, 2111 Park Avenue (pending inspections); renewal of Class E beer and Sunday sales permit for Econo Foods #468, 501 West Bypass #61; cigarette permit for Hilltop Tap, (July 1991 to June 1992); cigarette permits, July 1992 to June 1993, for Kopf Vending (HON Oak #1 and Holiday Inn), Hilltop Tap, and Mulberry Recreation Center; filing of Communications A-H; and bills totaling \$522,976.96. Seconded by Councilmember Freese. All ayes; motion carried.

PUBLIC HEARING

Mayor Keig stated that a public hearing was being held concerning the proposed lease extension for the airport hangar currently occupied by HON Industries.

City Administrator A.J. Johnson stated that the request for the extension is through 2010.

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

#13603. Councilmember Phillips moved the public hearing be closed. Seconded by Councilmember Gary Gray. All ayes; motion carried.

#13604. Councilmember Kemp moved the proclamation be approved declaring April 18-24, 1993 as "Secretaries Week". Seconded by Councilmember Dan Gray. All ayes; motion carried.

#13605. Councilmember Phillips moved the resolution be adopted approving the final re-plat of block 43 of Park Place Addition. Seconded by Councilmember Kemp. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, and Dan Gray. Motion carried and resolution duly adopted.

#13606. Councilmember Freese moved the resolution be adopted approving the Wallace Street eight lot subdivision. Seconded by Councilmember Dan Gray.

Councilmember Phillips asked if the four housing units would be constructed side by side.

Kevin Whittaker, Community Development Director, stated that the four lots would be located towards the end of Wallace Street and that the houses would be constructed side by side.

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

#13607. Councilmember Dan Gray moved the resolution be adopted approving the Brook Street two lot subdivision. Seconded by Councilmember Gary Gray.

Councilmember Kemp stated that when the City acquired this property it was necessary for the house to be torn down because of the high level of methane gas found in the basement. He questioned whether the use of this property would be a wise choice.

City Administrator Johnson stated that the previous building had always had problems with the pilot light staying on. He told Councilmembers that tests performed locally and by the University of Iowa could not determine why it was happening. He stated that the proposed HUD homes would not have basements and that the City does not foresee any problems with the use of this site.

Councilmember Kemp pointed out that when the house had been torn down the basement had been filled in. He asked if there would be any problems with settling once homes are constructed on the site.

City Administrator Johnson stated that he was not qualified to answer that question; however, he pointed out that the parties involved are probably aware of the fact that the basement had been filled in.

Councilmember Moench stated that it was his understanding that the homes would be constructed on slabs.

City Administrator Johnson stated that HUD specifications do not include a basement.

Councilmember Moench asked if there would be a crawl space, and City Administrator Johnson answered no.

Councilmember Kemp asked if there would be storage buildings.

City Administrator Johnson answered no, noting that no additional funding would be provided for additional outbuildings.

Councilmember Kemp stated that in some of the areas in Muscatine, people were allowed to have storage buildings. He also stated that he felt it would not be desirable to build a home without a storage building.

City Administrator Johnson agreed; however, under the HUD program, each home does not include a basement, storage building or garage. He pointed out that if a savings is realized, the City would apply to HUD for the construction of additional storage areas.

Councilmember Moench asked what the construction cost would be for each home.

Mr. Whittaker stated that the cost for each home averages out to be approximately \$75,000. He pointed out that there will be no money involved with the Brook Street lots since the City already owns that property.

Councilmember Phillips asked how much square footage would be in each home.

Mr. Whittaker stated that each of the homes would have three bedrooms and would have approximately 1,000 square feet.

Councilmember Phillips stated that it was her understanding that there would be a utility room, and Mr. Whittaker stated that she was correct.

Councilmember Freese asked how one becomes qualified to live in one of the scattered site units.

Mr. Whittaker stated that interested parties would sign up for the units in the same manner as applying for public housing assistance.

Councilmember Dan Gray stated that it was his understanding that a decision really cannot be made on the design of the homes until all the lots are obtained, and Mr. Whittaker stated that he was correct.

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

#13608. Councilmember Phillips moved to approve on second reading the ordinance vacating a portion of the platted Cherry Street right-of-way. Seconded by Councilmember Dan Gray. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, and Dan Gray. Motion carried and ordinance approved on second reading.

#13609. Councilmember Moench moved to approve the ordinance on first reading allowing for the increase of sanitary sewer rates. Seconded by Councilmember Phillips.

Councilmember Freese pointed out that there is a \$1.00 per month discount for senior citizens.

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

#13610. Councilmember Kemp moved to approve the resolution extending the expiration date to the year 2010 for the hangar lease agreement at the Municipal Airport between the City of Muscatine and HON Industries. Seconded by Councilmember Gary Gray. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, and Dan Gray. Motion carried and resolution duly adopted.

City Administrator Johnson stated that Councilmembers had before them a list of the bid results stemming from the Mulberry Avenue Sidewalk Extension Project. He stated that the low bid from Sulzberger Excavating in the amount of \$749,871.45 was approximately 10% lower than the City's estimate. He recommended that the bid from Sulzberger Excavating be approved.

#13611. Councilmember Dan Gray moved the resolution be adopted approving the bid from Sulzberger Excavating in the amount of \$749,871.45 for the Mulberry Avenue Improvement Project. Seconded by Councilmember Moench.

Councilmember Kemp stated that discussion had taken place last week concerning the possibility of including the installation of sidewalks on Bonnie Drive with the Mulberry Avenue project. He asked if this was still a possibility.

City Administrator Johnson stated that it is still possible; however, it would have to be dealt with separately due to the requirements that have to be met prior to the sidewalk installation.

Councilmember Kemp asked if this issue could be placed on the April In-Depth agenda for further discussion.

City Administrator Johnson stated that the City Engineer has recommended that action be taken at the April 1, 1993 Regular City Council meeting hiring him as the engineer for the project. He also stated that once this is accomplished and all

other requirements are met, then a public hearing could be set at the May 6, 1993 Regular Council meeting.

Councilmember Moench asked if May 6, 1993 would be the earliest that a public hearing could be held, and City Administrator Johnson answered yes.

Councilmember Phillips asked if it would be possible to talk with the homeowners on Bonnie Drive to see if they would be willing to install sidewalks on a voluntary basis.

City Administrator Johnson stated that letters were sent to the homeowners and that to date two responses, one for and one against, have been received.

Councilmember Phillips asked about the possibility of installing sidewalks on one side of the street.

City Administrator Johnson stated that for equity reasons the City would look at the possibility of installing sidewalks on both sides of the street.

Councilmember Kemp stated that over the next few years the high school will be seeing an increase in student population, noting that due to the bus situation more and more students will be walking to school.

City Administrator Johnson stated that a commitment for the installation of sidewalks on Bonnie Drive would not be made until the May 6, 1993 Regular City Council meeting. He pointed that a limited number of residents would be affected by this proposal.

Councilmember Freese asked if there was any reason why the City could not adhere to the schedule submitted by the City Engineer, and City Administrator Johnson answered no.

Councilmember Freese asked if the City Engineer could negotiate and get the same rate for sidewalk installation as that for Mulberry Avenue.

City Administrator Johnson stated that the City could not make that type of commitment.

Councilmember Freese asked if the City could approach Sulzberger Excavating with this possibility.

City Administrator Johnson stated that City staff will be exploring all options. He asked Councilmembers if they wished to have this matter placed on the agenda for the April 1, 1993 Regular City Council meeting.

Councilmembers all answered yes.

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

#13612. Councilmember Phillips moved the resolution be adopted releasing the real estate mortgage under the Community Development Residential Rehabilitation and Conservation Grant Program for Case #177. Seconded by Councilmember Dan Gray. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, and Dan Gray. Motion carried and resolution duly adopted.

#13613. Councilmember Moench moved to approve the resolution setting a public hearing on April 1, 1993 at 7:30 p.m. in the City Hall Council Chambers concerning the proposed exchange of property between the City of Muscatine and Stockton Realty Company and the proposed sale of property between the City of Muscatine and the Muscatine Solid Waste Management Agency. Seconded by Councilmember Kemp. All ayes: Councilmembers Gary Gray, Freese, Phillips, Kemp, Moench, and Dan Gray. Motion carried and resolution duly adopted.

#13614. Councilmember Phillips moved to approve the request to establish April 26-30, 1993 as Spring Clean-Up Week. Seconded by Councilmember Gary Gray. All ayes; motion carried.

#13615. Councilmember Dan Gray moved to approve the amendment to the waste water treatment agreement between the City of Muscatine and the Natural Gas Pipeline Company of America. Seconded by Councilmember Kemp.

Councilmember Freese asked for clarification on this agreement.

Don Freel, Water Pollution Control Director, stated that in 1985 the City of Muscatine entered into an agreement with the Natural Gas Pipeline Company to handle wastewater from its Columbus Junction storage area. He explained that when gas is stored in rock formations and then removed during cold months there is a lot of condensation and this water is brought to the Water Pollution Control Plant.

Councilmember Dan Gray asked if the water would be transported by tankers.

Mr. Freel answered yes, noting that this takes place approximately four times per week.

Councilmember Gary Gray asked how many gallons of water are being treated.

Mr. Freel stated that approximately 905,000 gallons of water had been brought to the treatment plant last year.

Councilmember Freese asked if the water was fairly clean, and Mr. Freel answered yes.

Councilmember Moench asked if treatment of the water is a state requirement.

Mr. Freel answered yes, noting that this is why it is brought to the treatment plant.

Mr. Freel told Councilmembers that the company is considering the possibility of operating its own cleaning facility, pointing out that this is why there is a limited time frame on this amendment. He stated that the City should know by May 1, 1994 whether it will continue to treat the water.

Councilmember Freese asked if this was a good operation for the City.

Mr. Freel answered yes, noting that the City generated approximately \$57,000 in revenues last year.

Vote - All ayes; motion carried.

Councilmember Gary Gray complimented Randy Elder for his work on the display model of the proposed improvements to the riverfront.

Councilmember Moench, speaking in reference the reports from the Police and Fire departments, asked why there was such a large increase in escort services provided by the Police Department.

Police Chief Gary Coderoni stated that the numbers shown on the reports do not include funeral escorts, just escorts for anyone transporting money from one place to another. He told Councilmembers that one reason for the increase was due to the robbery that took place at Econo Foods earlier this year. He pointed out that there are also other reasons that the number has increased.

Councilmember Freese, speaking in reference to the minutes from the Cable Advisory Commission, stated that the minutes indicate that there are many people not in favor of raising the franchise fee. He asked if it would be possible to discuss this matter at the next In-Depth meeting to determine if everyone is still in favor of increasing the fee.

City Administrator Johnson stated that he did have the opportunity to meet with members of the Cable Advisory Commission and that he had expressed to them City Council's desire to explore the option to raise the fee. He stated that if Councilmembers would like to discuss this issue further, he could have it placed on the agenda for the next In-Depth Council meeting.

There was further discussion on the franchise fee.

Councilmember Kemp stated that Randy Hill has done an excellent job of making street repairs. He stated that he is concerned about the repairs needed on Leroy Street and Bidwell Road.

City Administrator Johnson stated that a petition had been received from residents on the south side of the 400 block of West 6th Street for the design and construction of a concrete curb and gutter on their side of the street with costs to be assessed against the property owners. He stated that authorization is needed from Councilmembers that would allow City staff to proceed with the design of the project.

#13616. Councilmember Dan Gray moved to approve the authorization for City staff to design the construction of a concrete curb and gutter on the south side of the 400 block of West 6th Street. Seconded by Councilmember Phillips.

Councilmember Dan Gray stated that it was his understanding that this was for the design of the project only and that property owners would be notified about the estimated cost.

City Administrator Johnson stated that Councilmember Dan Gray was correct, noting that the petition states that the cost should not exceed \$10 per lineal feet.

Vote - All ayes; motion carried.

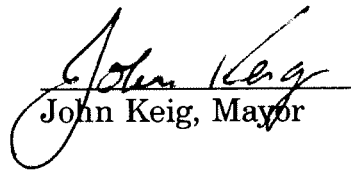
Mayor Keig stated that he and Larry Kemp would not be present at the April 8, 1993 Regular City Council meeting. He asked if it would be necessary to appoint someone else to act as Mayor Pro Tem.

City Attorney Harvey Allbee Jr. stated that it would be appropriate for the Mayor to appoint someone to act as Mayor Pro Tem.

Mayor Keig then appointed Councilmember Phillips to serve in the capacity of Mayor Pro Tem at the April 8, 1993 Regular City Council meeting.

#13617. Councilmember Freese moved the meeting be adjourned. Seconded by Councilmember Phillips. All ayes; motion carried.

The meeting adjourned at 8:20 p.m.


John Keig, Mayor

ATTEST:


A.J. Johnson, City Administrator