

MINUTES

IN DEPTH COUNCIL MEETING

March 8, 1979 - 7:00 p.m.

Council Chambers

Mayor Evelyn L. Schauand called the meeting to order.

PRESENT: Ald. Koehrsen, Robinson, Platt, Hilton, Kemp, Rada, Waltman

The Mayor opened a public hearing on the issuance of industrial revenue bonds for Akzona Incorporated. Mr. Phil Kenyon, President of Armira Corporation, subsidiary of Akzona Incorporated spoke in favor of the issuance of the industrial revenue bonds. He indicated that the bonds would be utilized for the purchase of a tannery here in the City of Muscatine by Akzona Incorporated. The tannery would produce jobs in the City and facilitate the City's economic development. No persons appeared in opposition. No written petitions were received for or against.

#3536. Ald. Koehrsen moved to approve resolution no. 79172 determining to proceed with the issuance of not to exceed \$3,500,000 of industrial development revenue bonds, 1979 Series A (Aktion Incorporated project) of the City of Muscatine, Iowa, second by Ald. Kemp. All ayes, motion carried.

The Mayor declared the public hearing closed.

#3537. Ald. Platt moved to approve resolution no. 79173 authorizing the issuance and sale of \$2,800,000 industrial development revenue bonds, 1979 Series A (Aktion Incorporated project) of the City of Muscatine, Iowa to finance certain industrial development facilities for Aktion Inc.; the execution and delivery of an indenture of trust to secure said bonds; the execution and delivery of an loan agreement between said company and said city providing for the repayment of the loan and the proceeds of said bonds; and related matters, second by Ald. Robinson. All ayes, motion carried.

Mayor Schauand declared open a public hearing on an ordinance discontinuing the Levee Improvement Commission and establishing the Levee Improvement Advisory Commission.

Mr. Denny Bohrofen, R. R. 1, Keota, Iowa spoke in favor of the ordinance. He stated that the Levee Commission is not meeting the needs of the boaters in Muscatine. He questioned the Levee Commission's past responses to the priority in the boat harbor which was not in conformance with the assurances that the City had given the Corps of Engineers in years previous. He felt that the Levee Commission was prejudiced against out-of-town boaters. He felt that an advisory commission was needed to work with the boaters rather than an autonomous board which worked only for their friends.

Mr. Larry Williams, Williams Marina appeared before Council against the ordinance. He stated that the Levee Commission was easy to deal with in their past experience. He felt that Williams Marina would have been hampered by the lack

of a Levee Commission.

Mr. Bob Logel, member of the Levee Commission, 2007 Oneida appeared against the ordinance. He felt that the Levee Commission was very desirous of having out-of-towners in the boat harbor. He felt that the death warrant for the Levee Commission was written three years ago when it was suggested that commissions were not advantageous to the City. He indicated that no one would tell them what they had done wrong. He felt that the City is moving towards one man government.

Mr. Mark Williams, Williams Marina appeared before the Council in opposition to the ordinance. He stated that Williams Marina would have left town if it weren't for the Levee Commission convincing them to stay.

Mr. Ted McKee, 414 West Second Street appeared before Council. He stated that the Council should wait a year before desolving the Levee Commission until the high water was down.

Mr. Tom Wenger, 1707 Orange Street appeared before Council. He questioned the succession of the old Levee Commission members into the new Levee Commission. The Corporation Counsel stated that the Levee Commission would stay in existence but the status would change. The members would stay on the Levee Commission until their terms expired.

Mr. Carl Sachs, 2001 Circle Drive, appeared before Council stating that he was not for or against the ordinance. He wanted to indicate, however, that the boat business was a thriving business and should be encouraged by the City.

Mr. Dennis Tietge, 22 Vista Court appeared before Council in favor of the ordinance. He indicated that he felt the Levee Commission has been unfair in the past in the elimination of four slips from the small boat docks to make room for two large boat slips. He felt that electricity had been provided for houseboat docks while the small boat docks had been ignored. He felt that there was definitely a history of favoritism on the Levee Commission towards the houseboat docks.

Mr. Charles Kloster, 2717 Surrey Court appeared before Council. He questioned the numbers of people on the waiting list in the City of Muscatine. He indicated that the rates in Muscatine were much lower than surrounding communities. In that regard, he wondered whether the boat harbor as it currently stands was really serving the needs of the community since it could by expansion serve more individuals.

There were no written petitions against the ordinance.

There was one written petition in favor of the ordinance.

#3538. Ald. Kemp moved to close the public hearing, second by Ald. Waltman.
All ayes, motion carried.

Ald. Kemp stated that he felt the ordinance should be passed by the City Council since elected officials are responsible for the overall policy of all aspects of the City. In addition, liability insurance was a major concern to the City in that autonomous commissions had not been covered by the City's liability insurance. He felt that advisory commissions in the remainder of

the City's structure were working very well. All but four of the 23 commissions in existence were advisory commissions and most were quite effective in pursuing their specific areas. He felt that democracy as such was the citizens electing representatives to make final policymaking decisions. He felt that the City Council needed to take the advice of all boards and commissions in the City and did so except when the items related to broader policymaking concerns.

Ald. Waltman indicated that the City Council needed to discuss the insurance problems with the Levee Commission so that they were informed on that matter.

Ald. Robinson indicated that the business of Muscatine used to be run by 20 - 30 people and that was not so today. He felt that democracy was defined as as many people participating in government as possible.

Ald. Koehrsen stated that there was regular input from all the advisory commissions in the City and that the input from the commissions was extremely important and vital to the operation of the City.

Ald. Hilton stated that she hoped that the members would stay on the commission.

#3539. Ald. Kemp moved to approve an ordinance discontinuing the Levee Improvement Commission and establishing the Levee Improvement Advisory Commission on first reading, second by Ald. Platt. Four ayes, three nays (Rada, Waltman, Robinson). Motion carried.

#3540. Ald. Waltman moved to set up a meeting with the Levee Commission to discuss the aspects of this ordinance further prior to second reading of the ordinance, second by Ald. Kemp. All ayes, motion carried.

Ms. Pat Eckhardt of the Department of Historic Preservation, State of Iowa appeared before Council indicating that a buyer and purchase agreement have been worked out concerning the Alexander G. Clark House located at 203 W. Third Street. Ms. Eckhardt introduced Kent Sissel who was the buyer of the new property. Mr. Sissel stated that Alexander Clark was one of the most important blacks in the history of the United States. Mr. Sissel indicated that he was extremely concerned with the preservation of the Alexander Clark House. Mr. Sissel's past background as architectural historian gave him specific experiences resembling this project. Ald. Kemp stated that he would like to have further specifics on the timetable on the project.

#3541. Ald. Kemp moved to hold off enforcement of the resolution concerning demolition of the Alexander G. Clark House until the April 5th Council meeting so that Mr. Sissel could provide a timetable concerning its restoration, second by Ald. Koehrsen. All ayes, motion carried.

It was the consensus of the City Council that a performance bond would not be required of Mr. Sissel.

The City Council discussed the new state program concerning low-cost mortgage loans.

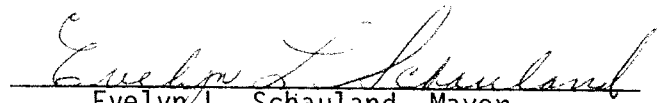
#3542. Ald. Waltman moved to approve a resolution establishing a public hearing on April 5th at 7:25 p.m. to be held for the purpose of submitting an application with the State Department of Transportation for a grant for financial assistance to the City's senior transportation system,

second by Ald. Platt. All ayes, motion carried.

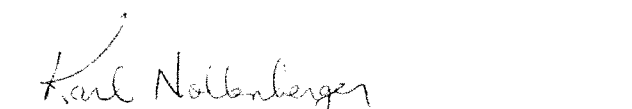
The City Council discussed the storm drainage problems on Leroy/Robin Road, Devitt Avenue, West Bay Drive, and Mulberry Avenue.

Ald. Kemp moved to refer these problems to the next In Depth meeting. Ald. Kemp withdrew his motion.

- #3543. Ald. Kemp moved to indicate that the City would not take any responsibility for the storm drainage problem on Robin Road in front of Mr. Cecil Martin's address, second by Ald. Koehrsen. Six ayes, one nay (Platt).
- #3544. Ald. Kemp moved that the City bear the responsibility for correcting the storm drainage problem in the easement owned by the City adjacent to Mr. Vern Franklin's property, second by Ald. Koehrsen. All ayes, motion carried.
- #3545. Ald. Kemp moved that the City take no action concerning the backyard flooding between Leroy and Robin Road, second by Ald. Hilton. All ayes, motion carried.
- #3546. Ald. Platt moved that the City staff take a further look at the flooding problems on Mulberry Avenue, second by Ald. Waltman. All ayes, motion carried.
- #3547. Ald. Kemp moved that the City Council take responsibility for the improvement needed in West Bay Drive storm drainage basin and that Mr. Edwards take care of any improvements on his own property individually, second by Ald. Rada. All ayes, motion carried.
- #3548. Ald. Platt moved that the City look further into the Devitt situation as to where the storm drainage runoff would go in the event that the improvements were made, second by Ald. Waltman. All ayes, motion carried.
- #3549. Ald. Kemp moved that the City Council go into Executive Session to discuss the Water Pollution Control Plant lawsuit, second by Ald. Platt. All ayes, motion carried.
- #3550. Ald. Platt moved to come out of Executive Session, second by Ald. Kemp. All ayes, motion carried.
- #3551. Ald. Rada moved to adjourn, second by Ald. Waltman. All ayes, motion carried.


Evelyn L. Schauand, Mayor

Attest:


Karl Nollenberger, City Clerk