

CITY OF MUSCATINE

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - January 5, 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 were present.

The opening prayer was given by Councilmember York.

The Pledge of Allegiance was given.

#6492. Councilmember Waltman moved to approve the Minutes of December 8, 1983 In-Depth Council Meeting. Seconded by Councilmember Kemp. All ayes; motion carried.

#6493. Councilmember Kite moved to approve the Minutes of December 15, 1983 Regular Council Meeting. Seconded by Councilmember York. All ayes; motion carried.

#6494. Councilmember Kemp moved to approve the renewals of the following: Class "C" Liquor License and Sunday Sales Permit for Bob's 19th Hole, 3712 Park Avenue - Robert L. Griffin; and Class "C" Liquor License for La Rosa De Oro, 417 Mulberry - Refugio and Maria Salas. Seconded by Councilmember Sayles. All ayes; motion carried.

Discussion was held regarding the renewal of Class "C" Liquor License for Harry's Tap, 525 Mulberry Avenue - Harry Koch. Soren Wolff, City Administrator, reviewed the police record of Harry's Tap and indicated the case is still scheduled for hearing by the Liquor Control Commission.

Harvey Allbee, Jr., City Attorney, reviewed the difference between a suspension and a revocation of a liquor license and the effects it would have on the licensee and licensed premises. He also outlined procedures to be followed if City Council did not wish to renew a license.

Attorney William Creasey spoke on behalf of Mr. Koch stating all charges against the establishment were simple misdemeanors and only the latest charge involved Mr. Koch.

#6495. Councilmember Sayles moved that a public hearing be held on January 19, 1984 on the proposal to renew the liquor license for Harry's Tap, 525 Mulberry Avenue. Seconded by Councilmember Amerine. All ayes; motion carried.

#6496. Councilmember Kemp moved to approve the resolution approving the Cigarette Permit for Hiway 61-92 Truckstop, 2301 Grandview Avenue. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#6497. Councilmember Kite moved to approve the Taxi Cab License in accordance with Title 5, Chapter 17, of the City Code for Smiley Taxi Cab. Seconded by Councilmember Amerine. All ayes; motion carried.

Soren Wolff, City Administrator, reported that Port City Yellow Taxi is also required to obtain a license and has indicated they will be submitting application to the City by the next Council meeting.

#6498. Councilmember Waltman moved to refer the two claims against the City and filed in the District Court by Plaintiff, Marie C. Dimas and Plaintiff, Arthur G. Reynolds, to the City's insurance company. Seconded by Councilmember Kemp. All ayes; motion carried.

#6499. Councilmember York moved to refer to the City Attorney the Writ of Certiorari filed by Fuller Appliance, Inc., Henreitta A. McCormick and Alex Fernandez concerning a request by the plaintiff to the Zoning Board of Adjustment to utilize their facility at 818 Eighth Street as a Convenience Store. Seconded by Councilmember Kite. All ayes; motion carried.

Mayor Platt submitted the following names for approval to the various City Boards and Commissions: Airport Advisory Commission - Stacey Lewis; Art Center Board of Trustees - Thomas Dvorchak; Board of Health - Councilmember Gayle Sayles and Councilmember Jerry Amerine; Human Rights Commission - Charles Velasquez, Gloria Casas, and William S. Clark; Library Board of Trustees - Kathi Hiyane-Brown; Planning and Zoning Commission - Shirley Drake and Larry Montgomery; Transportation Advisory Commission - Joe Stoube and Arlen Poock; Water and Light Board of Trustees - Arthur E. Dahl.

#6500. Councilmember Waltman moved to approve the above appointments. Seconded by Councilmember Kemp. All ayes; motion carried.

Mayor Platt administered the Oath of Office to Arthur E. Dahl for his position on the Water and Light Board of Trustees.

#6501. Councilmember Waltman moved to approve the ordinance on second reading to require deep wells in new subdivisions where no public water supply is available. Seconded by Councilmember Sayles.

Councilmember Kemp questioned the nitrate level in the existing 40-foot wells and the possibility of public water being supplied to those areas.

Soren Wolff, City Administrator, stated that specific problems found could be dealt with through the public health program.

Vote - All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Ordinance approved on second reading.

#6502. Councilmember York moved to approve the resolution approving the consolidated Annual Contribution Contract and General Despositary Agreement with HUD for the Clark House and Sunset Park Project. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#6503. Councilmember Waltman moved to approve the easement from Meyer-Manjoine, Inc. for installation of traffic signal at the intersection of U.S. 61 Houser and Grandview Avenue. Seconded by Councilmember Sayles. All ayes; motion carried.

Councilmember Kemp suggested a letter of appreciation be sent for this easement.

#6504. Councilmember Powell moved to approve the Offer of Sale for the property at 1026 Lombard Street in the amount of \$4,300 with the amount to be funded from the Mad Creek Target Area Program. Seconded by Councilmember Sayles.

Arlen Wiggs, Community Development Director, outlined the substandard housing acquisition portion of the Mad Creek Community Development Target Area Program which includes the property at 1026 Lombard Street.

Vote - All Ayes; motion carried.

Arlen Wiggs, Director of Community Development, reviewed the history of the lease of property between the City and Lee Washburn for property on Lombard Street.

#6505. Councilmember Sayles moved to approve the Lease between the City of Muscatine and Lee, Kenneth, and Mary Washburn for the use of a portion of the unused and undeveloped Lombard Street. Seconded by Councilmember York. All ayes; motion carried.

#6506. Councilmember York moved to approve the agreement with Montgomery Elevator for the maintenance of eight (8) elevators in the amount of \$4,552. Seconded by Councilmember Amerine. All ayes; motion carried.

#6507. Councilmember Waltman moved to approve the purchase of a van and two (2) 1/2 ton pickups through the State in the amount of \$23,724.67. Seconded by Councilmember Kemp.

Councilmember Sayles asked questions about the State of Iowa's procurement process for vehicle and equipment purchases.

Soren Wolff, City Administrator, stated that as a provision of the State bids for their purchases, other governmental bodies can take advantage of their quantity purchase prices with the option to bid for the State contracts open to any dealers.

Vote - All ayes; motion carried.

#6508. Councilmember Kite moved to approve the agreement with Hyinks to provide towing services in the amounts stipulated in its bid. Seconded by Councilmember Kemp.

Councilmember York questioned the reason for receiving no other bids for this service. Soren Wolff, City Administrator, commented that the City's insurance requirements were cited by one firm as a reason for not bidding.

Vote - Six ayes, one nay (York); motion carried.

#6509. Councilmember Sayles moved to approve the Civil Service certification list for Equipment Operator II. Seconded by Councilmember Kite. All ayes; motion carried.

There was discussion regarding interest in participation in Bi-State Planning Commission Energy Management Program.

Kevin Whittaker, Planning Administrator, commented on a walk-through audit, which was conducted in 1980 that consisted of the citing of obvious energy problems.

#6510. Councilmember Kemp moved that the City indicate an interest in participating with Bi-State in the Energy Management Program and indicate that the City would like a complete audit as opposed to a walk-through audit. Seconded by Councilmember Powell. Five ayes, 2 nays (Kite and Sayles); motion carried.

#6511. Councilmember Waltman moved that the City participate in the loan program with Iowa Department of Transportation for Public Transit Assistance in the amount to be established by the State, but not to exceed \$29,100 and that the Mayor and Clerk be authorized to sign an amendment to the existing IDOT Transit Subsidy Contract. Seconded by Councilmember York. All ayes; motion carried.

#6512. Councilmember York moved that Items A through L be received and filed. Seconded by Councilmember Kite. All ayes; motion carried.

#6513. Councilmember Waltman moved the bills totalling \$619,211.77 be approved and authorize the Mayor and City Clerk to issue warrants of the same. Seconded by Councilmember Kemp. All ayes; motion carried.

Councilmember Powell stated he was looking forward to a very pleasant term on Council and one in which a lot would be accomplished.

Councilmember Waltman stated he had received communications and telephone calls commenting on the irregularity of speed zones on Hershey Avenue.

Soren Wolff, City Administrator, explained that the speed zones were requested from the Iowa Department of Transportation as there were no shoulders in the 25 mph zone. He reported he would contact the Department of Transportation for their recommendations.

#6514. Councilmember Waltman moved that City Council go into Executive Session to discuss the proposal of a settlement on the delinquent sanitation account which was under litigation and to discuss the proposed settlements on the three (3) labor contracts for the Police, Fire, and Blue/White Collar Unions. Seconded by Councilmember Kite. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

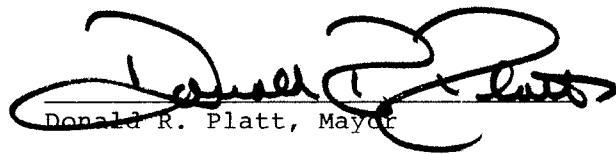
#6515. Councilmember Waltman moved to go out of Executive Session. Seconded by Councilmember York. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

#6516. Councilmember Powell moved to approve the amendment to the Police Contract for the second year covering the period from June 30, 1984 through June 30, 1985 to include a 3 1/2% across the board wage increase and increasing the City contribution to 90% on the family health insurance premium. Seconded by Councilmember Amerine. All ayes; motion carried.

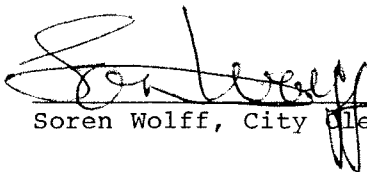
#6517. Councilmember Waltman moved to approve the amendment to the Blue/White Collar Union Contract for the second year covering the period from June 30, 1984 through June 30, 1985 to include a 3 1/2% across the board wage increase and increasing the City contribution to 90% on the family health insurance premium. Seconded by Councilmember Kite. All ayes; motion carried.

#6518. Councilmember Sayles moved to approve the amendment to the Fire Contract for the second year covering the period from June 30, 1984 through June 30, 1985 to include a 3 1/2% across the board increase and increasing the City contribution to 90% on the family health insurance premium, also including vacation schedule language. Seconded by Councilmember Kemp. All ayes; motion carried.

#6519. Councilmember Waltman moved to adjourn the meeting. Seconded by Councilmember Kite. All ayes; motion carried.


Donald R. Platt, Mayor

ATTEST:


Soren Wolff, City Clerk