

CITY OF MUSCATINE

REGULAR MONTHLY SESSION OF CITY COUNCIL

Council Chambers - March 15, 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 Jay Turner.

The Pledge of Allegiance was given.

#7007. Councilmember Amerine moved to approve the Minutes of the February 13, 14, 15, 16, 21, 22, and 29 Budget Review Sessions. Seconded by Councilmember Kite. All ayes; motion carried.

#7008. Councilmember Kemp moved to approve the Minutes of the March 1, 1984 Regular Council Meeting. Seconded by Councilmember York. All ayes; motion carried.

#7009. Councilmember York moved to approve the Minutes of the December 30, 1984 Special Council Meeting. Seconded by Councilmember Sayles. All ayes; motion carried.

#7010. Councilmember Waltman moved to approve the request for a new Class "B" Beer and Sunday Sales Permit for Riverbend Court Rooms, 2617 Park Avenue - LORA Corporation. Seconded by Councilmember Kite. All ayes; motion carried.

#7011. Councilmember Powell moved to approve the requests for renewal of Class "C" Beer and Sunday Sales Permit for Warehouse Market, Harrison and Park Avenue - Nash Finch Company, Class "C" Beer and Sunday Sales Permit for Holiday Station Store, 503 Grandview - Cedar Falls Oil Company, and Class "C" Liquor License for Edward's Tavern, 207 Mulberry Avenue - Marlene Anderson. Seconded by Councilmember Amerine. All ayes; motion carried.

#7012. Councilmember Kite moved to approve the request from the Drake University chapter of Tau Kappa Epsilon for use of City right-of-way for its fifth annual Keg Roll Across Iowa the weekend of April 19-22, 1984. Seconded by Councilmember Amerine. All ayes; motion carried.

#7013. Councilmember Waltman moved to approve the request by the March of Dimes for the use of City right-of-way for their annual Walk-A-Thon on Saturday April 28, 1984. Seconded by Councilmember Sayles. All ayes; motion carried.

Mayor Platt submitted the names of Joe Stoube, Charles Valesquez, Ed George, Abbie Hindahl, and Lulu Stigers to serve on the Citizens Advisory Committee on Federal Revenue Sharing Handicapped and Disabled Requirements.

#7014. Councilmember Kemp moved to approve the above appointments. Seconded by Councilmember Amerine. All ayes; motion carried

Mayor Platt submitted the name of Glen Bloom for reappointment to the Civil Service Commission.

#7015. Councilmember Waltman moved to approve the appointment. Seconded by Councilmember York. All ayes; motion carried.

Mayor Platt submitted the name of Roger Lande to serve on the Airport Advisory Commission.

#7016. Councilmember Kite moved to approve the appointment. Seconded by Councilmember Sayles. All ayes; motion carried.

Mayor Platt proclaimed the week of March 11-17, 1984 for the "Get the Answers Campaign" stressing the importance of medication and its proper use.

Soren Wolff, City Administrator, reported receiving a rezoning request for property from Agricultural (AG) to Light Industrial (M-1) which would require a public hearing.

Kevin Whittaker, Planning Administrator, reviewed the location of the property noting the rezoning is necessary for the sale of the property and there would be no access from the property to the Highway 61 By-Pass.

#7017. Councilmember Amerine moved to approve the Resolution setting a public hearing on April 5, 1984 on the proposed zoning change and that notice be published by March 21, 1984. Seconded by Councilmember Powell. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

Harvey Allbee, Jr., City Attorney, stated that the proposed ordinance amendment to the Liquor Ordinance in the City Code is necessary because of a conflict between the City and State Codes concerning the age of persons serving alcoholic beverages.

#7018. Councilmember Waltman moved to approve the Ordinance on first reading to amend Section 5-3-18 of the City Code to permit individuals 18 years of age or older to sell and/or serve alcoholic liquor or beer. Seconded by Councilmember Kemp. All ayes: Councilmember Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Ordinance approved on first reading.

#7019. Councilmember York moved to adopt the Resolution approving the 1984-85 City Budget. Seconded by Councilmember Amerine. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

City Administrator Wolff reported that two bids had been received for the Capital Improvement Projects for Mad Creek Project Stage II and the City Engineer has reviewed the bids for the project to be in order. He noted, however, that the costs had not yet been broken down into Federal and Local funding.

#7020. Councilmember Kite moved to approve the Resolution awarding contract for Mad Creek Stage II Project to Illinois-Iowa Blacktop, Inc. in the amount of \$279,335.62. Seconded by Councilmember Amerine.

Councilmember York questioned if the project could be expanded since the bid was under the original estimate for the project.

Ray Childs, City Engineer, reported that these costs may require amendments since it is uncertain what is under the base of the street. He added the storm sewer project is still in the design stage and that these monies may be needed for the sewer project.

City Administrator Wolff stated that this is a quantity bid based on the materials used for the project and that an amendment may be needed to either add to or delete from the quantities in the bid.

Vote - All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

City Administrator Wolff gave an explanation of the format of the assessment schedule for the 1984 New Sidewalk Program noting that Council approval of the proposed Resolution would include market values, assessment amounts, and City share. He noted that the assessment could only be up to 25% of market value with any deficit being picked up by the City and that the paving of driveways from the curb to sidewalk is included in the assessments. He added that once the maximum assessment is established, it cannot be increased and that property owners may do their own work as long as it meets City specifications.

Councilmember Amerine questioned procedures if individuals disputed the value of the property.

City Administrator Wolff stated that valuation questions would be referred to the County Assessor and that each property owner would receive a certified letter including the public notice which would explain the assessment procedures.

#7021. Councilmember Amerine moved to adopt the Resolution approving the preliminary plans, specifications, plat, schedule, and cost estimates for the 1984 New Sidewalk Program subject to a change in date for the public hearing. Seconded by Councilmember York. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

Mayor Platt reported receiving a request from Councilmember Kite to change the date of the public hearing proposed for the Sidewalk Program from April 19, 1984 to May 3, 1984 due to the religious holiday on April 19.

#7022. Councilmember Kite moved to approve the Resolution of Necessity for the 1984 New Sidewalk Program and set the required public hearing on May 3, 1984. Seconded by Councilmember Kemp. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#7023. Councilmember Amerine moved to approve the Resolution to release the real estate mortgage for Housing Rehabilitation Case No. 87. Seconded by Councilmember Sayles. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#7024. Councilmember Amerine moved to approve the Resolution to release the real estate mortgage for Housing Rehabilitation Case No. 88. Seconded by Councilmember Sayles. All ayes: Councilmember Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#7025. Councilmember Powell moved to approve the Housing Rehabilitation Loan Application No. 131 and the Outbuilding No. 5 Grant Application. Seconded by Councilmember Sayles. All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried.

Councilmember Amerine commented that he had had insufficient time to study the proposed updated Equal Employment Policy and Affirmative Action Program.

City Administrator Wolff stated that these policies include the entire City work force and advisory commissions and suggested tabling these items to the

April 19, 1984 meeting for consideration.

#7026. Councilmember Amerine moved to table the proposed updated Equal Employment Policy and Affirmative Action Program until the April 19, 1984 meeting with it being studied at the In Depth Council Meeting on April 12, 1984. Seconded by Councilmember York. All ayes; motion carried.

#7027. Councilmember Amerine moved to approve the Civil Service certification list for the position of Filter Plant Leadworker. Seconded by Councilmember Kite. All ayes; motion carried.

City Attorney Allbee reviewed the request from David R. LaFontaine, Attorney for Keller Industries, for quiet title action for a small strip of property leased by the City to Keller Industries which does not have a clear title. He noted that in order to clear the title to this property this lawsuit would be required.

#7028. Councilmember Waltman moved to authorize Attorney LaFontaine to proceed with the quiet title action in the name of the City on behalf of Keller Industries as outlined in his letter with the costs of this action to be paid by Keller Industries. Seconded by Councilmember Amerine. All ayes; motion carried.

City Administrator Wolff noted that in addition to the proposed micro-computer system outlined in the agenda for the Finance, Parking, Community Development, and Housing Departments, that the Friends of the Library were purchasing a separate micro-computer system for the Glass Plate Negative Project for the Library. He commended the members of the Task Force to study computer needs of the City. These members were Deborah Rauh, Paula Smith, Craig Olson, Steve Boka, Rob McDonald, and Randy Hill.

Mayor Platt also commended the committee members for their many hours of study of the City's computer needs.

#7029. Councilmember Kite moved to authorize City staff to proceed with the purchase of a micro-computer system from Amplify and to purchase other equipment and software as outlined for an amount not to exceed \$31,684 with funding from Federal Revenue Sharing, Parking System, Community Development, and Housing Funds. Seconded by Councilmember Amerine. All ayes; motion carried.

#7030. Councilmember Amerine moved to approve the Resolution authorizing staff to proceed with filing an application for Land and Water Conservation funds in an amount of \$125,000 for the Waterfront Project. Seconded by Councilmember Sayles.

City Administrator Wolff reported receiving a letter and petition with 1,290 signatures requesting the City investigate boat ramp facilities in conjunction with this project. He stated that he and Larry Wolf, Park Director, had met with the individuals who had submitted the letter and discussed the five areas of most concern to these individuals. These were to construct another double wide ramp, dredge the area from TIMARINA to the present public ramp, build floating docks on either side of the launch ramps, designate areas for boat and trailer parking, and allow space for orderly loading and unloading of boats free of traffic congestion. Wolff noted that several of these items were included in the proposed plans and recommended the letter and petition be forwarded to the Levee Advisory Commission for their consideration.

Councilmember York questioned the plans to close the Chestnut Railroad Crossing expressing his concerns that this may increase traffic congestion.

City Administrator Wolff stated that the plans are not to totally close the Chestnut crossing but to allow emergency vehicles use of the crossing. He added that plans are to redesign the circulation of traffic with Council approval to be requested before implementation. Wolff noted that funding would be as outlined in the agenda, if application approval is received, with additional costs to be funded from a bond issue if needed.

Vote - All ayes: Councilmembers Kite, Sayles, York, Amerine, Powell, Waltman, and Kemp. Motion carried and Resolution duly adopted.

#7031. Councilmember Kemp moved to receive and file the letter and petition regarding boating facilities and forward them to the Levee Advisory Commission for their recommendations. Seconded by Councilmember Amerine. All ayes; motion carried.

#7032. Councilmember Kite moved to receive and file items A through J. Seconded by Councilmember Amerine. All ayes; motion carried.

#7033. Councilmember Waltman moved to approve bills totalling \$437,621.37 and authorize the Mayor and City Clerk to issue warrants of the same. Seconded by Councilmember York. All ayes; motion carried.

Councilmember Waltman requested that the railroad spurs be improved at the Oak Street crossing at Mississippi Drive and Second Street.

City Engineer Ray Childs stated that the Street Department has been doing repairs.

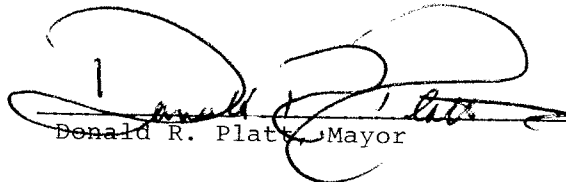
Councilmember Powell reported that trucks have been traveling on private property on Union Street from Washington to Orchard. He requested signs be installed to prohibit truck traffic on this street.

City Administrator Wolff requested approval of the Subordination Agreement for rehabilitation property which would avoid the City having the first lien on the property when it is refinanced.

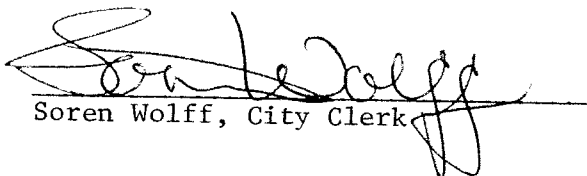
#7034. Councilmember Powell moved to approve the Subordination Agreement for Housing Rehabilitation property. Seconded by Councilmember Amerine. All ayes; motion carried.

Mayor Platt announced the Southeast Iowa Municipal League Meeting would be held in Washington, Iowa on March 21, 1984 and invited Councilmembers to attend.

#7035. Councilmember Waltman moved to adjourn the meeting. Seconded by Councilmember Kite. All ayes; motion carried.


Donald R. Platt, Mayor

Attest:


Soren Wolff, City Clerk