

CITY OF MUSCATINE
REGULAR MONTHLY SESSION OF CITY COUNCIL
Council Chambers - April 3, 1986 - 7:30 p.m.

The meeting was called to order by Mayor Richard Waltman.

Roll Call: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp.

Mayor Waltman gave the opening prayer.

The Pledge of Allegiance was given.

Public Hearing

Mayor Waltman stated the public hearing was being held on the proposed 1986/87 Public Transit Plan and request for funding.

There were no oral comments for or against the proposed plan and request for funding.

There were no written petitions for or against.

#9478. Councilmember Kemp moved the public hearing be closed. Seconded by Councilmember Amerine. All ayes; motion carried.

Councilmember Amerine stated that motion #9469 of the March 20th City Council Minutes should be amended to read that the resolution be adopted approving the plans, specifications, cost estimates and setting bid opening date for April 25, 1986, for the Warehouse Renovation Project.

#9479. Councilmember Amerine moved the minutes be approved as amended. Seconded by Councilmember Sayles. All ayes; motion carried.

Penny Burger, who is employed in Advertising Sales at the Muscatine Journal, told Councilmembers that the Journal Shopper and merchants on Washington Street will be sponsoring a street fair on April 12th to celebrate the opening of the Washington Street Bridge. She noted that the street would not be closed to traffic, adding that the merchants would hold all activities on their properties. Ms. Burger stated that the merchants would be involved in the following activities: Opening ceremony, 10 o'clock a.m.; in-store specials; and event or contest for public participation.

She stated that the purpose of the street fair is to attract attention back to the merchants on Washington Street. She requested that City officials participate in the ribbon cutting, run an advertisement to urge residents to attend the event, and leave the temporary signs in place so that the Journal can place additional signs and balloons over them to attract people to the area.

Councilmember Amerine questioned what type of signs would be placed over the temporary signs. Ms. Burger stated the signs would just announce the Muscatine Journal and Washington Street Merchants Street Fair. City Administrator Wolff questioned if the signs would be used on Saturday only. Ms. Burger stated they would. Councilmember Amerine questioned why the City should provide advertising for the Muscatine Journal. She stated that the advertising would benefit both the

Journal and the merchants. She thought the City would be willing to run an advertisement to show its concern for the merchants. Councilmember Amerine felt the Muscatine Journal would benefit more than the merchants.

Councilmember Sayles felt the street fair would be good for the Washington Street Merchants.

Councilmember Powell agreed with Councilmember Sayles, adding that he would be attending the event.

Ms. Burger questioned if the Councilmembers would be attending the opening ceremony and planned activities.

Mayor Waltman stated he would be out of town on that day; however, he would designate someone to cut the ribbon.

Councilmember Kemp questioned who the Mayor Pro Tem would be. Harvey Allbee, Jr., City Attorney, stated that Councilmember York would be Mayor Pro Tem. Mr. Kemp felt the street fair was an excellent idea.

Councilmember Sayles questioned if the event would be coordinated with the Police Department. Mayor Waltman stated it would. Police Chief Jerome Tesmond stated he would like to meet with a representative of the Muscatine Journal to make arrangements.

#9480. Councilmember York moved that the City cooperate with the Muscatine Journal and the Washington Street Merchants to make the street fair a success. Seconded by Councilmember Amerine. All ayes; motion carried.

#9481. Councilmember Powell moved the following requests be approved: 1) New Class E Beer and Sunday Sales Permit for Hy Vee Food, 1903 Park Ave. - Hy Vee Food Stores; 2) new Class E Beer and Sunday Sales Permit for Warehouse Market, Harrison and Park Avenue, Nash Finch Company; 3) renewal of Class C Beer and Sunday Sales Permit for Scott's Bait & Tackle, 2017 1/2 Stewart Road - Scott's Bait & Tackle Shop Corp.; 4) renewal of Class C Beer and Sunday Sales Permit for Meerdink's Amoco, 2111 Park Ave. - John S. Meerdink Amoco Service Center, Inc. Seconded by Councilmember Amerine. All ayes; motion carried.

#9482. Councilmember Sayles moved the request to set leaf burning dates for April 7 through May 17 be approved. Seconded by Councilmember Kemp.

Councilmember Kemp reminded the public they cannot burn on City streets.

Vote - All ayes; motion carried.

#9483. Councilmember Sayles moved the request to close Weed Park to vehicle traffic for the Eighth Annual Melon City Bike Race on May 25, 1986, be approved. Seconded by Councilmember Powell.

Councilmember York stated he had received many complaints concerning the behavior of participants in the race last year. He felt they should conduct themselves in an orderly manner if they want to continue holding this event.

Greg Harper stated that residents in the area are notified of the bike race. He stated it is difficult to control all participants since many are from out of town. He added that he had not received any complaints following last year's event.

Councilmember Powell stated he had received complaints, but they were of an individual nature and did not include the entire group. He felt the Police Department could help eliminate some of the problems.

Chief Tesmond stated that Mr. Harper should meet with him to make arrangements. Mr. Harper stated he would meet with Chief Tesmond, and would also make an effort to keep the participants under control.

Mayor Waltman stated that the race would be another means to bring people into Muscatine.

Mr. Harper stated that this is the eighth year for the bike race; and it will be a weekend event. He told Councilmembers that races will be held in Burlington and Moline, adding that many of the racers will probably stay in Muscatine since it is centrally located.

Vote - All ayes; motion carried.

#9484. Councilmember Amerine moved the proclamation be approved declaring April 13-19 as "American Home Week". Seconded by Councilmember Phillips. All ayes; motion carried.

Kevin Whittaker, Director of Planning and Community Development, reviewed with Council the location of the property to be severed from the Mulberry Manor Subdivision. He told Councilmembers the subdivision was approved in 1983, adding that a portion of the property overlaps into the north corporate limits of the City. He stated that the Planning & Zoning Commission has recommended the property be severed from the City limits.

#9485. Councilmember York moved the resolution be adopted severing a strip of land from the City of approximately 176 feet x 2,785 feet at the north City limits. Seconded by Councilmember Harder. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#9486. Councilmember Powell moved the ordinance to amend Title 10, Chapter 4, Section 4(c) of the Flood Plain Regulations be approved on final reading and be published in the Muscatine Journal as required. Seconded by Councilmember Amerine. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and ordinance approved on final reading.

#9487. Councilmember Kemp moved the ordinance to change the speed limit on Houser Street from Mulberry Avenue to Lucas Street to 30 miles per hour be approved on final reading and that it be published in the Muscatine Journal as required. Seconded by Councilmember Powell. Four ayes: Councilmembers Phillips, Amerine, Powell, and Kemp. Three nays: Councilmembers Harder, Sayles, and York. Motion carried and ordinance approved on final reading.

City Administrator Wolff, speaking in reference to the ordinance to increase the landfill charges, stated the City is now proposing to include the twenty-five cent surcharge in the landfill charge. He told Councilmembers that if the surcharge is added to the current landfill charge of \$1.35 per cubic feet, it would total

\$1.56. Mr. Wolff stated the City is proposing to round that amount to \$1.60. He noted that this amount would make accounting easier.

#9488. Councilmember Powell moved the ordinance be approved on second and final reading to increase landfill charges at the Muscatine County Landfill and that it be published in the Muscatine Journal as required. Seconded by Councilmember Amerine. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and ordinance approved on second and final reading.

#9489. Councilmember Amerine moved the resolution be adopted authorizing the submittal of an application for State and Federal Transit Assistance as outlined. Seconded by Councilmember Kemp. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#9490. Councilmember Sayles moved the resolution be adopted approving the Fiscal Year 1987 Public Transit Plan. Seconded by Councilmember York. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#9491. Councilmember Powell moved the resolution be adopted approving the purchase of three (3) public transit vehicles. Seconded by Councilmember York. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

City Administrator Wolff informed Councilmembers that plans and specifications for 63rd and 65th Streets will be basically the same as the McIntire Subdivision, with a twenty four foot road surface and four foot wide shoulders. He stated that the City is proposing to bring the driveway aprons up to the property line, noting this would be included in the assessment charges. Mr. Wolff stated that one of the drainage systems will be similar to the one used in the McIntire Addition, while the other will be designed to bring storm water to the back end of the street.

Mr. Wolff presented a summary of the costs for the total project. He stated that the number to be assessed is about \$1,000 less than the original amount. He told Councilmembers that the approximate amount to be assessed to property owners in the McIntire Subdivision is \$163,164.72, which is about 54.5% of the project. He stated that the total project cost for 63rd and 65th Streets is estimated at \$190,756.50. The City's share would be approximately \$99,900.12, or 52.4%, and the property owners' share would be \$90,856.38, or 47.6%. Mr. Wolff stated the amount is lower due to property deficiencies and vacant lots on both streets. He informed Councilmembers that the cost for the total project would be approximately \$489,887.50. The City's total share would be approximately \$235,866.40 or 48.1%, and the amount to be assessed to the property owners would be approximately \$254,021.10, or 51.9% of the project.

Mr. Wolff stated there are approximately 93 properties to be assessed; however, some residents own one or more lots. He told Councilmembers that assessments for the properties average \$2,731.41. He reminded Councilmembers that they could consider spreading the assessments over a ten or fifteen year period. The City normally uses a ten year period. Mr. Wolff felt the amounts presented were maximum, and was optimistic that the once the bids are received, the amounts could be lowered. He noted that once the assessment amounts are established, they cannot be increased.

Mr. Wolff stated that tonight Council would be requested to adopt the resolution approving the plans and specifications for the project. He told Councilmembers that if the resolution is approved, the next step would be to adopt the resolution of necessity. He stated that the resolution of necessity would also set a public hearing for May 1st. He noted that the City had originally planned to hold the public hearing on April 17th; however, property owners need to be notified at least fifteen days prior to the public hearing.

There was discussion concerning the structure of the street surface as required by the City Code.

Mayor Waltman questioned if residents present at the meeting had any comments.

Michelle Bisbey, 6810 McIntire Road, felt the dust problem, which had been discussed during the preliminary plans of the project, is caused by truck traffic on 57th Street. She added that this was not included in the improvement project for the McIntire Addition and 63rd & 65th Streets. City Administrator Wolff stated that the Industrial Connector Project, to be discussed later in the meeting, would help eliminate some of the truck traffic. He told Councilmembers that application of calcium chloride would also help control the dust problem.

Earl Miller, 6709 McIntire Road, stated that during the summer he is unable to open his windows due to the dust problem. City Administrator Wolff stated he was aware of the fact that 57th Street does carry alot of traffic. He told Councilmembers that the Engineering Department has been asked to prepare cost estimates for improving 57th Street, noting it is included in the City's five-year plan.

Councilmember Kemp questioned if 57th Street would be taken care of this summer. City Administrator Wolff stated that the street has a lot of truck traffic, noting that application of calcium chloride will not alleviate the problem entirely.

There was discussion on applying oil to the street.

#9492. Councilmember Powell moved the resolution be adopted approving the preliminary plans, specifications, plat, schedule, and cost estimates for the McIntire, 63rd and 65th Streets Public Improvement Project. Seconded by Councilmember Amerine. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

#9493. Councilmember Amerine moved the resolution of necessity be approved and that a public hearing on the project be set for May 1, 1986. Seconded by Councilmember York.

City Administrator Wolff informed Councilmembers that under the State Code, the resolution of necessity would require six votes in order to be approved.

Vote - All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

City Administrator Wolff told Councilmembers he had received a call earlier in the week from Doug Bigelow of the radio station, who stated that Muscatine had been approved for the RISE funding. Mr. Wolff added that later that evening, it was announced on the news that the City had received \$912,000 in RISE monies. He stated that at this point, the Department of Transportation has given approval of the

grant. Mr. Wolff told Councilmembers that \$300,000 of that amount will be used in Phase I of the Industrial Connector Project. He added that the remaining amount will be used in Phase II. He stated there will not be any local monies used in Phase II, only the RISE funding and private contributions. The total project should be completed in the fall of 1987.

Councilmember Waltman felt the Industrial Connector Project was the connecting link between industries and the By-Pass.

City Administrator Wolff stated that the Department of Transportation had actually received fifty-six applications, but only funded fourteen projects.

#9494. Councilmember Amerine moved the resolution be adopted setting a public hearing for April 17th on the proposed Industrial Connector Project. Seconded by Councilmember Sayles. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried and resolution duly adopted.

City Administrator Wolff told Councilmembers they had on their desks the amendment to the CH2M Hill Design Contract. He stated that the items referred to in the agenda, and the dollar amounts, has been incorporated into the amendment.

Craig Olson, Director of Water Pollution Control, reviewed with Councilmembers what CH2M Hill would be doing as part of Phase III of the design contract. He stated that as part of the amendment, CH2M Hill would first study the feasibility of constructing a storage lagoon for liquid sludge. In addition, the firm would be required to design a sludge pumping station in the existing buildings. Mr. Olson stated the City anticipates the need for the existing contractor to sign a change order, adding the cost for installing the pumping station would need to be negotiated. He noted that CH2M Hill has been given the job of designing the lagoon system. He told Councilmembers that the firm will be checking on the materials needed for the job.

Mr. Olson informed Councilmembers that the Engineering Department would design the pipeline from the plant to the lagoon, the sludge application pump, pipeline system.

City Administrator Wolff stated that the addendum had been studied at the last In-Depth Meeting. He recommended it be approved.

#9495. Councilmember Powell moved that amendment No. 4 to the CH2M Hill design contract be approved. Seconded by Councilmember Amerine. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell, and Kemp. Motion carried.

#9496. Councilmember Amerine moved the agreement be prepared between the City and Mike Brink for connecting to a sewer extension on Lake Park Boulevard, in accordance with the conditions outlined in the agenda. Seconded by Councilmember Powell.

Mayor Waltman stated that work on the sewer extension would be performed by the City.

Councilmember Powell questioned if the cost to the City would be lower if the other two properties connected to the sewer extension. City Administrator Wolff stated that the one property owner has installed a pumping system, and would probably not connect to the extension unless his system failed. He told Council

that the other property belongs to the County Road Commission.

Vote - All ayes; motion carried.

City Administrator Wolff stated that Councilmembers had on their desks a tabulation of the four bids for purchase of a tractor for the Water Pollution Control Plant. He stated that Mr. Olson had attended an auction, but his bid on a used tractor was not successful. Mr. Wolff felt more time was needed before making a decision on which piece of equipment to purchase. He recommended the request be tabled.

#9497. Councilmember Amerine moved the request be tabled until the April 17th Council Meeting. Seconded by Councilmember Kemp. All ayes; motion carried.

#9498. Councilmember Powell moved that items A-I be received and filed. Seconded by Councilmember York. All ayes; motion carried.

#9499. Councilmember Kemp moved that bills totaling \$526,814.66 be approved and that the Mayor and City Clerk be authorized to issue warrants for the same. Seconded by Councilmember Powell. All ayes; motion carried.

Councilmember Kemp stated he was pleased that the Washington Bridge would be opening soon. He hoped that the opening would help alleviate some of the traffic problems at Clay Street and Isett Avenue. Mr. Kemp felt that traffic problems at that corner continue to get worse.

Councilmember Powell stated there was probably no relief in sight since the warehouse is located on that corner.

Councilmember Kemp felt the loading docks could be moved; but this is not possible since Heinz does not own the warehouse. He questioned if a waiting area could be installed adjacent to the loading docks.

Councilmember Amerine noted that motorists turning onto Isett Avenue from Clay Street do not always wait for the trucks backing up to the docks. He felt the truck drivers cannot be blamed for all the traffic problems at that corner.

Councilmember York stated he had received complaints that trucks are parking on the new sidewalk across from the warehouse. City Administrator Wolff stated the Police Department could alleviate this problem by issuing tickets.

Councilmember Harder questioned if the City has met with the Heinz Company. He was told they have.

Councilmember Kemp stated that rent for the warehouse is reasonable, adding that if Heinz suggested the owners make certain changes, the rent would probably increase. Mr. Kemp felt that it would help if a waiting area could be installed adjacent to the warehouse.

Councilmember Harder questioned if the company could be given a time limit when trucks could dock at the warehouse. City Administrator Wolff stated it would be difficult to place restrictions on private property.

Councilmember York stated that one problem Heinz is faced with is the fact that they have no control over the drivers.

Councilmember York reminded Councilmembers of the Mayor's Prayer Breakfast to be held at 7 a.m. on Friday morning.

Councilmember Harder questioned the progress on the Washington Street Bridge. He was told the bridge would be opened on April 11. Ray Childs, City Engineer, stated the bridge has been completed except for the seeding and landscaping.

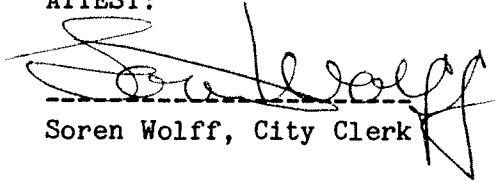
#9500. Councilmember York moved the meeting be adjourned. Seconded by Councilmember Kemp. All ayes; motion carried.

The meeting adjourned at approximately 9:15 p.m.



Richard Waltman, Mayor

ATTEST:



Soren Wolff, City Clerk