

6-A

CITY OF MUSCATINE
REGULAR MONTHLY SESSION OF CITY COUNCIL
Council Chambers - April 16, 1987 - 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 present.

The opening prayer was given by Mayor Waltman.

The Pledge of Allegiance was given.

#10252. Councilmember Amerine moved to approve the Minutes of the April 2, 1987 Regular Council Meeting. Seconded by Councilmember Sayles. All ayes; motion carried.

#10253. Councilmember Powell moved to approve the Minutes of the April 9, 1987 In-Depth Council Meeting. Seconded by Councilmember Phillips. All ayes; motion carried.

#10254. Councilmember Powell moved to approve the requests for renewal of (1) Class "C" Liquor License for Hilltop Tap, Inc., 929 Lucas - Duane H. Hartman, (2) Class "C" Beer and Sunday Sales Permit for Scott's Bait & Tackle Shop, 2017 Stewart Road - Scott's Bait & Tackle Shop, Corp., (3) Class "B" Beer and Sunday Sales Permit for Pizza Hut of Muscatine, 2512 Park Avenue - Pizza Hut of Muscatine, Inc., (4) Class "E" Beer and Sunday Sales Permit for Petro-N-Provisions, 501 Cedar - Petro-N-Provisions, (5) Class "C" Beer and Sunday Sales Permit for Petro-N-Provisions, 709 Grandview Avenue - Petro-N-Provisions, and (6) Class "C" Beer and Sunday Sales Permit for Mid-Town 66, 321 Mulberry - Steve J. Shenk. Seconded by Councilmember Amerine. All ayes; motion carried.

#10255. Councilmember Harder moved to table the request for new Class "C" Liquor License for El Charro, 821 Oregon - Dennis E. Dilts until the next Regular Council Meeting. Seconded by Councilmember Sayles. All ayes; motion carried.

#10256. Councilmember Amerine moved the resolution be adopted approving the Cigarette Permit for Larry & Earl's Second Street Saloon, 202 West 2nd Street. Seconded by Councilmember Powell. All ayes: Councilmembers York, Harder, Sayles, Phillips, Amerine, Powell and Kemp. Motion carried and resolution duly adopted.

#10257. Councilmember Harder moved to approve the request for Parade Permit for Illowa Council of Boy Scouts of America for April 25, 1987 at 11:00 a.m. Seconded by Councilmember Kemp. All ayes; motion carried.

#10258. Councilmember York moved to approve the request by HON Industries to close Oak Street between 2nd and 4th Street on May 9, 1987 from 7:00 a.m. to 2:00 p.m. for their 40th Anniversary. Seconded by Councilmember Sayles. All ayes; motion carried.

#10259. Councilmember Kemp moved to approve proclamations for (1) the week of April 19, 1987 as National Consumers Week, (2) the week of April 19, 1987 as Professional Secretaries Week, and (3) the month of May as Cycle Awareness Month. Seconded by Councilmember Powell. All ayes; motion carried.

#10260. Councilmember Amerine moved to approve the Advisory Board Appointments for the Electrical Licensing Board as follows: (1) Charles Howard - General Group and (2) Robert Campbell - Restricted Residential Group. Seconded by Councilmember York. All ayes; motion carried.

Soren Wolff, City Administrator, stated three (3) bids were received for the Madison School Target Area Street Improvement Project. He announced the following bids: Manatt, Inc. - \$687,160.75; Tri City Blacktop, Inc. - \$698,167.55; and River City Paving, Inc. - \$721,873.23. He noted the low bid was 4% below the Engineer's estimate.

Ray Childs, City Engineer, displayed the area involved in this project, including two half streets/alleys - Sub Van Buren and McClellan Streets. He stated this area includes 95 driveways that will be blocked and 170 mailboxes that will need to be removed during construction. He stated residents will be notified of these requirements.

Soren Wolff, City Administrator, noted the two half streets will not have curbs installed, just the asphalt overlay.

#10261. Councilmember Powell moved the resolution be adopted awarding the bid for the Madison School Target Area Street Improvement Project to Manatt Inc., Brooklyn, Iowa in the amount of \$687,160.75. Seconded by Councilmember York.

Councilmember Powell stated he was concerned with the condition of Gobble Street. He questioned if Gobble Street could be included in this project since the low bid was 4% under the estimated cost.

Soren Wolff, City Administrator, stated this street was not eligible to be included in the target area under the Community Development Block Grant Program. He noted this did not preclude Council from including this street as an addendum to the contract, but the special assessment process would need to be followed unless the City paid the entire cost of the improvements. He noted grading was done on this street last year. He stated cost estimates could be prepared based on the bids just received and property owners could be notified of the estimated cost of the project.

Councilmember Harder requested an estimate of traffic flow on this street be included in the report.

There was discussion regarding the traffic on this street. Councilmember Amerine noted that County trucks use Gobble Street frequently. He also reported the standing water problem is still occurring after the grading that was done.

City Administrator Wolff stated a report would be prepared on the cost of this project.

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

#10262. Councilmember Phillips moved to approve the addendum to the Engineering Design Agreement with Stanley Consultants in the amount of \$3,000 for the design of separate sanitary and storm sewers for Fourth Street between Walnut and Cedar Streets. Seconded by Councilmember York. All ayes; motion carried.

Steve Boka, Building and Zoning Administrator, described the location of the tower proposed to be constructed by Star-Kist Foods, Inc. He stated this request was reviewed by his department with special emphasis for noise, dust and smoke. He stated other communities with this type of facility were contacted and no problems were noted.

#10263. Councilmember Powell moved to approve the height variance for the Star-Kist Food addition for an 87 foot high hydrostatic sterilizer tower. Seconded by Councilmember Kemp.

Councilmember Harder questioned if this variance applied only to this piece of equipment.

Soren Wolff, City Administrator, stated it only applied to this tower.

Vote - All ayes; motion carried.

Soren Wolff, City Administrator, reported a statement was omitted and will be added to the guidelines for the Request for Proposals for the former TIMARINA buildings. The statement said the sale of alcoholic beverages for off-site consumption would not be considered, but Council would consider a proposal that included on-premises consumption of alcoholic beverages. He stated the guidelines give four to five weeks for proposals to be submitted, but this could be extended if necessary. He stated if proposals were received by the end of May, they could probably be reviewed and ready for Council consideration in early June depending on the number received and the review needed.

Ozzie Osborn, 314 Kindler, questioned the statement in the proposed guidelines regarding the responsibility for replacement and repair of the pumps and tanks. He stated he felt the cost of replacing or repairing these items would be substantial and questioned if persons interested in this operation would agree to that stipulation.

Soren Wolff, City Administrator, stated that he did not feel the cost would be as high as suggested, but indicated the City was not willing to assume responsibility for the tanks. He stated if the parties disagree with the stipulation, it could be indicated in their proposal.

#10264. Councilmember Amerine moved to approve the guidelines for the "Request for Proposals" on the use of the former TIMARINA buildings. Seconded by Councilmember Powell.

Councilmember York questioned the location of the gas barges.

Soren Wolff, City Administrator, stated the pumps are located on the barge, and the tanks are located underground on the river side of the older building. He also noted one of these tanks may be leaking, and this will be the City's responsibility for the current boating season.

Vote - All ayes; motion carried.

#10265. Councilmember Amerine moved to approve the appointments to the committee to review the "Requests for Proposals" for utilization of the former TIMARINA buildings as submitted by Mayor Waltman as follows: Parks and Recreation Advisory Commission: Hank Mann and Becky Stella; Levee Commission: Steve Gray and Ed Riley; Central Business District: Dick Marr and Beverly White; and City Council: Gayle Sayles and Jim Harder. Seconded by Councilmember Kemp. All ayes; motion carried.

#10266. Councilmember Sayles moved to approve the purchase of the parcel of property at the corner of Second and Mulberry Streets from the IDOT in the amount of \$500. Seconded by Councilmember Amerine.

Soren Wolff, City Administrator, recommended the \$500 be appropriated from the Parking System Enterprise Fund.

Larry Wolf, Parks and Recreation Director, stated he contacted the Parks and Recreation Advisory Commission and they were in favor of purchasing this property.

Councilmember Kemp questioned if the \$500 could be appropriated from the Road Use Tax Fund instead of the Parking Fund.

City Administrator Wolff, stated traditionally, Parking funds have been utilized for acquiring property in the downtown area. He noted the area was currently being used as green space. He stated this was an option and Council could appropriate Road Use Taxes for this project if they chose.

Councilmember Kemp concurred with funding this purchase from the Parking Enterprise Fund.

Vote - Six ayes: Councilmembers York, Sayles, Phillips, Amerine, Powell and Kemp. One nay: Councilmember Harder. Motion carried.

Soren Wolff, City Administrator, stated there was concern for traffic control at the intersection of U.S. 61 By-Pass and Second Avenue with the opening of the new shopping area in May. He stated the new traffic signals can not be installed until October or November, but it is proposed to move the signals located on Grandview and the By-Pass to this location until that time. He stated the cost of relocating these signals would be approximately \$4,200, and it is proposed this arrangement be discussed with the developers.

#10267. Councilmember Powell moved to approve the "Request for the Establishment of a Special Public Road Connection" for the entrance to the new Jack's Discount Store and Mall Project. Seconded by Councilmember Sayles.

Councilmember Powell stated he felt the By-Pass was becoming more commercial and this may lead to traffic problems on this highway.

Vote - Six ayes: Councilmembers York, Harder, Sayles, Phillips, Powell and Kemp. One nay: Councilmember Amerine. Motion carried.

Steve Boka, Building & Zoning Administrator, reported on the status of the clean up of property at 1301 Washington Street. He stated there has been confusion on the split of property and ownership. He noted the front parcel is owned by Robert Hein and Muscatine Realty Corporation and the rear portion is owned by Met-Tech, Inc. (Larry Grenko). He reported a sale is planned next weekend to dispose of the excess machinery and vehicles, and recommended the City wait until after this sale to take further action.

Councilmember Kemp questioned if the property owners would dispose of the garbage in addition to the items auctioned.

Steve Boka, Building & Zoning Administrator, stated he felt some of the items were salvagable and more information would be available after the sale.

Soren Wolff, City Administrator, stated the City is dealing with an absentee landowner. He estimated it would cost between \$5,000 and \$10,000 to clean up this property and noted the City may be required to carry that cost for three years. He stated after the sale the City can contact the financial institution involved to find out how this can be resolved. He stated by the first Council Meeting in May, a specific proposal should be available.

Mayor Waltman noted that the trees dumped on this property were disposed of by a contractor and not by the City.

#10268. Councilmember Amerine moved to receive and file Communication Items A through J. Seconded by Councilmember Sayles. All ayes; motion carried.

#10269. Councilmember Kemp moved to approve bills totaling \$514,007.75 and authorize the Mayor and City Clerk to issue warrants for the same. Seconded by Councilmember Powell. All ayes; motion carried.

Councilmember Harder commended the Public Works staff on their effort to promote safety.

Councilmember Powell stated the condition of Gobble Street needs to be addressed, and he was interested in the City Administrator's report on this item.

Soren Wolff, City Administrator, announced the City has received approval of two grant applications for the following projects: (1) Development of the boat launch ramp funded under the Marina Fuel Tax Fund of the Iowa Department of Natural Resources and (2) Special Transit Projects funded from the Exxon Petroleum Overcharge Fund.

Norma Todd, Public Transportation Supervisor, reported on the Transit projects approved for funding under the Exxon Petroleum Overcharge Program. She stated the funding was in the amount of \$23,000 to be utilized by June 30, 1987, and noted efforts are being made to get an extension on this deadline. She stated this project included extending route service to the new Mall on the By-Pass, extending additional service to Muscatine Community College, and increasing marketing efforts.

#10270. Councilmember Amerine moved to approve the Agreement with IDOT for the Transit Projects funded from the Exxon Petroleum Overcharge Fund. Seconded by Councilmember Phillips. All ayes; motion carried.

Soren Wolff, City Administrator, reported the IDOT also approved the City's application for Exxon Petroleum Overcharge funds for the downtown business district signalization program. He stated the City should be receiving the contract documents shortly and will then develop proposals.

Soren Wolff, City Administrator, reported the City has also received the agreement documents on the additional boat launching ramp. He stated the total project cost was \$41,389, and 75% of this cost would be funded by the State. He noted this contract does not include the additional parking.

#10271. Councilmember Powell moved to approve the Agreement with the Department of Natural Resources for the additional boat launching ramp. Seconded by Councilmember Kemp. All ayes, motion carried.


Soren Wolff, City Administrator, reported receiving notification the courtesy dock will also be funded. He noted the City should be receiving this agreement in the near future.

Mayor Waltman reminded individuals the City does have an Ordinance regulating the number of yard sales and signage.


Soren Wolff, City Administrator, noted these signs may obstruct vision and there is a penalty in the Ordinance. He added information on this Ordinance will be included in the next "City Outlook".

Councilmember Kemp suggested placing an ad in the newspaper under the Garage Sale section reminding the public of this Ordinance.

#10272. Councilmember Amerine moved to adjourn the meeting. Seconded by Councilmember Kemp. All ayes; motion carried.


Richard Waltman, Mayor

Attest:


Soren Wolff, City Clerk