

CITY OF MUSCATINE
REGULAR CITY COUNCIL MINUTES
Council Chambers - 7:30 p.m. - January 5, 1995

Mayor Jeanette Phillips called the meeting to order.

Roll Call: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald present.

The opening prayer was given by City Attorney Harvey Allbee Jr.

The Pledge of Allegiance was given.

Seth Husco, 2002 Logan Street, Apartment C-12, told Councilmembers that he plans to open a teen center/under 21 club in Muscatine, noting that he is currently trying to purchase the old Boomers building. He stated that he plans to open up the restaurant in the back to further fund the center. He then stated that he is applying for a grant to purchase the building and as part of the application he must submit a letter of support from City Council. He asked City Council to supply the letter of support.

Councilmembers were in agreement that this item should be placed on the January 12, 1995 In-Depth agenda.

Bill Trent, 2708 Mulberry Avenue, speaking in reference to Item 12J, concerning the Army Corps of Engineers request for authorization to proceed with the levee improvement project, stated that sometime in the early spring the City would be receiving a letter getting this project underway. He stated that the local share for the project has been estimated at \$1.25 million, noting that \$250,000 will be paid by the Levee District, \$500,000 from private sources and the remainder from the City. He pointed out that the City is not legally bound by any action taken tonight, adding that 40% of the funding from private sources has been received.

Mr. Trent stated that the private sector will be doing everything possible to see this project move forward, noting that any improvements that take place will benefit the entire community.

#13968. Councilmember Phil Fitzgerald moved to approve the minutes of the December 15, 1994 Regular City Council meeting and the December 12, 1994 Goals and Objectives Session. Seconded by Councilmember Freese.

Councilmember O'Brien stated that the eighth paragraph on page 1 of the December 15, 1994 Regular City Council minutes should be amended to read "because as Councilmember Freese had pointed out at the meeting the prayer was removed from the City Council agenda without Council approval."

Vote - All ayes; motion carried.

#13969. Councilmember Moench moved the Consent Agenda be approved as follows: Renewal of Class B liquor license and Sunday sales permit for Hotel Muscatine, 101 West Mississippi Drive (pending inspections); filing of Communications A-H; and bills totaling \$1,728,976.64. Seconded by Councilmember O'Brien. All ayes; motion carried.

PUBLIC HEARING

Mayor Phillips stated that a public hearing was being held concerning the ADA Paratransit Plan Update for the City's Transit System.

There were no oral or written petitions for or against the ADA Paratransit Plan Update.

#13970. Councilmember Kevin Fitzgerald moved the public hearing be closed. Seconded by Councilmember Phil Fitzgerald. All ayes; motion carried.

#13971. Councilmember Gary Gray moved the ordinance be approved on final reading amending the City's zoning ordinance from AG to M-1 involving approximately 2.6 acres of land near the intersection of Houser Street and Hershey Avenue and that it be published in the Muscatine Journal as required by law. Seconded by Councilmember Moench. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried and ordinance approved on final reading.

#13972. Councilmember Kevin Fitzgerald moved the resolution be adopted approving the 1995 ADA Paratransit Plan Update for the City's Transit System. Seconded by Councilmember Moench. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried and resolution duly adopted.

#13973. Councilmember O'Brien moved the resolution be adopted approving the contract and bond from Pressure Contract Inc. in the amount of \$174,400 for the Papoose Creek Sewer Brick Arch Repair Project. Seconded by Councilmember Phil Fitzgerald. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried and resolution duly adopted.

#13974. Councilmember Kevin Fitzgerald moved the resolution be adopted approving a partial tax exemption request for property located at 514-516 Mulberry Avenue. Seconded by Councilmember Dan Gray. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried and resolution duly adopted.

#13975. Councilmember O'Brien moved to approve the utility service lease between the City and the Federal Aviation Administration (FAA) to fund the new TVOR power source to be installed at the municipal airport. Seconded by Councilmember Gary Gray. All ayes; motion carried.

#13976. Councilmember Dan Gray moved to approve the preliminary professional services agreement between the City and Stanley Consultants Inc. in the amount of \$42,700

for sanitary and storm sewer design work. Seconded by Councilmember Freese. All ayes; motion carried.

#13977. Councilmember Phil Fitzgerald moved to approve the 28E agreement between the City and the Muscatine Substance Abuse Coordinating Council/Muscatine Center for Strategic Action to administer the SAFE Community Crime Prevention mini grant. Seconded by Councilmember Dan Gray. All ayes; motion carried.

#13978. Councilmember Freese moved to approve the mutual aid agreement between the City and the Fruitland Fire District. Seconded by Councilmember O'Brien. All ayes; motion carried.

#13979. Councilmember Kevin Fitzgerald moved that the resolution be adopted setting a public hearing on January 19, 1995 at 7:30 p.m. in the City Hall Council Chambers concerning the proposed vacation and sale of real estate owned by the City. Seconded by Councilmember Phil Fitzgerald.

#13980. Councilmember Dan Gray moved to authorize approval of the project cooperation agreement between the City and the Army Corps of Engineers. Seconded by Councilmember Phil Fitzgerald.

Councilmember Kevin Fitzgerald asked that the City Attorney be involved in the formulation of the necessary language for this agreement.

Vote - All ayes; motion carried.

#13981. Councilmember Kevin Fitzgerald moved that the City be authorized to establish a Vision Fund. Seconded by Councilmember Moench.

#13982. Councilmember Kevin Fitzgerald moved that a fund be established without a set dollar amount. Seconded by Councilmember Moench.

Discussion concerning what name or restrictions the fund might have followed.

#13983. Councilmember Freese moved to amend the original motion to delete the term Downtown and just create a Vision Fund. Seconded by Councilmember Moench.

#13984. Councilmember Freese moved that this matter be tabled until the January 12, 1995 In-Depth Council meeting. Seconded by Councilmember Gary Gray. Six ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, and Phil Fitzgerald. One nay: Councilmember Kevin Fitzgerald. Motion carried.

#13985. Councilmember Freese moved to go into Executive Session at 8:05 p.m. to discuss labor negotiation strategy and property acquisition. Seconded by Councilmember Gary Gray. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried.

#13986. Councilmember Kevin Fitzgerald moved to go out of Executive Session. Seconded by Councilmember Phil Fitzgerald. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried.

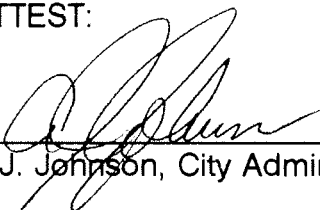
#13987. Councilmember Phil Fitzgerald moved that TCI Cablevision be required to have cable service installed at the Eagle Ridge Subdivision by January 31, 1995, and if not completed by that date then beginning on February 1, 1995 and every day thereafter until service is connected, \$500 per day will be deducted from the special account with the City. Seconded by Councilmember Moench. All ayes; motion carried.

#13988. Councilmember Freese moved the meeting be adjourned. Seconded by Councilmember O'Brien. All ayes; motion carried.

The meeting adjourned at 9:17 p.m.


Jeanette Phillips, Mayor

ATTEST:


A.J. Johnson, City Administrator