

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers - 7:30 p.m. - February 2, 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.

Cub Scout Jason Archer gave the opening prayer.

The Pledge of Allegiance was given.

Ozzie Osborn, 314 Kindler Avenue, commended the City's Fire and Police departments for the services they provide the citizens of Muscatine. He stated that he feels the Riley Ambulance Service is also doing a fine job in this community and should not be operated by the Fire Department. He explained why he felt this way. He stated that he would like to see the Fire Department remain with fire fighting and the Riley Ambulance Service with ambulance services.

Bob Fiedler, 106 Canon Avenue, stated that he also feels the Riley Ambulance Service should remain as it is, and he explained why he felt this way. He stated that one major concern that he does have is the Fire Department's inability to make an ambulance call because of other calls.

#14002. Councilmember Moench moved to approve the minutes of the January 19, 1995 Regular City Council meeting. Seconded by Councilmember O'Brien. All ayes; motion carried.

#14003. Councilmember Kevin Fitzgerald moved to approve the Consent Agenda as follows: Approval of request on first reading for a new Class C liquor license for Broken Spoke Lounge, 516 East 2nd Street (pending inspections and receipt of insurance certificate); renewal of Class B beer and Sunday sales permit for Pizza Hut, 712 Grandview Avenue; renewal of Class C beer and Sunday sales permit for Petro-N-Provisions, 1010 Park Avenue; renewal of Class E beer and Sunday sales permit for Sun Mart #312, 807 Grandview Avenue; approval of request on first reading for a new Class C liquor license and Sunday sales permit for Los Arcos, 1107 Grandview Avenue (pending inspections and receipt of insurance certificate); filing of Communications A-E; and bills totaling \$1,355,587. Seconded by Councilmember Dan Gray. All ayes; motion carried.

PUBLIC HEARING

Mayor Phillips stated that a public hearing was being held concerning the proposed rezoning of property bounded by Iowa Avenue, West 3rd Street, West 4th Street, and Chestnut Street from R-2 to C-2.

Brian Hammer, 211 Eagle Ridge Road, representing the Muscatine Center for Strategic Action (MCSA), asked how this proposed rezoning would affect the MCSA's ability to sell the building or make additions to the building.

City Administrator A.J. Johnson stated the proposed rezoning would actually bring the operation of the MCSA into compliance with the City's zoning requirements. He pointed out that anyone who owns the building will be allowed to operate under this proposed zoning change.

There were no oral or written petitions for or against the proposed rezoning.

#14004. Councilmember Dan Gray moved the public hearing be closed. Seconded by Councilmember Freese. All ayes; motion carried.

#### PUBLIC HEARING

Mayor Phillips stated that a public hearing was being held concerning the proposed flood plain zoning ordinance amendment.

There were no oral or written petitions for or against the proposed flood plain ordinance amendment.

#14005. Councilmember Dan Gray moved the public hearing be closed. Seconded by Councilmember Phil Fitzgerald. All ayes; motion carried.

#### PUBLIC HEARING

Mayor Phillips stated that a public hearing was being held concerning the design-build concept for restroom/concession stands at Kent Stein Park.

There were no oral or written petitions for or against the proposed design-build concept.

#14006. Councilmember Phil Fitzgerald moved the public hearing be closed. Seconded by Councilmember Moench. All ayes; motion carried.

City Administrator Johnson stated that a request had been received from Central State Bank for consideration of leasing eight public parking spaces adjacent to the bank facility to accommodate customer parking during construction of their new banking facility. He stated that the City Attorney has prepared a lease for metered parking spaces, noting that the lease will be revised to include parking on Saturday morning through noon. He pointed out that a letter was received from downtown merchants who are concerned about parking in the downtown area.

Councilmember Kevin Fitzgerald stated that it was his understanding that these spaces will be designated for customer parking only.

City Administrator Johnson stated that Councilmember Kevin Fitzgerald was correct and pointed out that Central State Bank would be responsible for enforcing the parking.

Councilmember Freese asked where these parking spaces are located.

Ed Caliger, representing Central State Bank, stated that the request is for four spaces on East 3rd Street adjacent to the main bank facility and the first four spaces on Iowa Avenue in front of the bank facility. He stated that contractors will need to block off parking during the demolition of the Stein building and on Sycamore Street during the removal of the drive-in building.

Councilmember Kevin Fitzgerald asked if it would be possible to designate all eight spaces on Iowa Avenue.

Mr. Caliger stated that would be possible; however, he pointed out that with the closing of the drive-in building, it is anticipated that more customers will be using the sidewalk teller on East 3rd Street, noting that between Iowa Avenue and the current drive-up window there are six parking spaces available.

#14007. Councilmember Phil Fitzgerald moved to approve the lease agreement between the City and Central State Bank for the lease of six parking spaces on East 3rd Street and two parking spaces on Iowa Avenue. Seconded by Councilmember Gray.

#14008. Councilmember O'Brien moved to approve the appointment of Nancy Pagel to the Airport Commission, term expiring July 1, 1996, and Audrey Theobald to the Muscatine Housing Advisory Agency, term expiring July 1, 1997. Seconded by Councilmember Phil Fitzgerald. All ayes; motion carried.

#14009. Councilmember Moench moved that proclamations be approved declaring February 1995 as "Cultural Diversity Month", and February 12-18, 1995 as "Child Passenger Safety Week". Seconded by Councilmember Dan Gray. All ayes; motion carried.

#14010. Councilmember Kevin Fitzgerald moved to approve the request by Musco Lighting to delay hard surfacing requirements until May 1997. Seconded by Councilmember Moench. All ayes; motion carried.

#14011. Councilmember O'Brien moved that the ordinance be approved on second reading vacating Alley #3 in block 56 between Sycamore Street and Iowa Avenue. Seconded by Councilmember Gary Gray. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried and ordinance approved on second reading.

#14012. Councilmember Dan Gray moved the ordinance be approved on first reading to amend the zoning ordinance to allow for the rezoning of property on West 4th Street from R-2 to C-2. Seconded by Councilmember Phil Fitzgerald. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried and ordinance approved on first reading.

#14013. Councilmember Dan Gray moved the ordinance be approved on first reading amending the zoning ordinance pertaining to flood plain regulations. Seconded by Councilmember O'Brien. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried and ordinance approved on first reading.

#14014. Councilmember Moench moved the resolution be adopted approving the performance specification, cost estimates, form of contract and setting the bid opening date for proposals for the construction of restrooms and concession stands at Kent Stein Park. Seconded by Councilmember Freese. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried and resolution duly adopted.

City Administrator Johnson presented an overview of the General Fund activity and the impact of proposed expenditures and revenues on the tax rate within the community.

City Administrator Johnson stated that budget sessions are scheduled to begin on Saturday morning.

#14015. Councilmember Kevin Fitzgerald moved to approve the request to accept Economic Development Administration (EDA) funding for the reconstruction of the Papoose Creek Force Main from Riverside Park to Musser Park in the amount of \$330,640. Seconded by Councilmember Dan Gray. All ayes; motion carried.

#14016. Councilmember O'Brien moved to approve the change order between the City and Bogert Engineering for the design, surveying, bidding, and construction of a security fence around the municipal airport property. Seconded by Councilmember Freese. All ayes; motion carried.

#14017. Councilmember Gary Gray moved to approve the proposed fee increase for services provided at Greenwood Cemetery. Seconded by Councilmember Phil Fitzgerald. All ayes; motion carried.

#14018. Councilmember Kevin Fitzgerald moved to approve the proposed fee increase for services provided at the Municipal Golf Course effective February 2, 1995. Seconded by Councilmember Phil Fitzgerald.

Councilmember O'Brien asked why there was a difference in the increase between the adult passes (\$30) and the senior passes (\$37).

City Administrator Johnson stated that years ago there was almost a 50% difference between adult passes and senior passes and that the percentage amount is being reduced to bring it more in line with discounts offered locally and across the country.

Councilmember O'Brien asked if out-of-county players are offered season passes at the same rate as local golfers, and City Administrator Johnson answered yes.

Councilmember O'Brien asked if consideration had ever been given to charging out-of-county players a higher fee.

City Administrator Johnson stated that this issue has been discussed; however, staff feels that charging a single rate will help encourage people to use the golf course. He pointed out that charging an additional fee for out-of-county players could cause administrative difficulties, and it would be difficult to establish boundaries. He pointed out that it is a public facility and it has been the City's philosophy there should be a single fee associated with its use.

Councilmember Gary Gray stated that he feels seniors should not be given a discount since golfing is considered a luxury. He stated that he felt there would be difficulty in governing an in-town and out-of-town policy at the golf course.

Councilmember Moench stated that he has heard that it is not uncommon for out-of-town golf courses to request to see the drivers licenses of people using the golf course.

City Administrator Johnson stated that there are golf courses that do charge these type of rates; however, it makes operation of the golf course easier when a single fee is collected. He pointed out that the City wants to generate revenues at the golf course and that charging a fee to out-of-town players could cause people to stay away from the course.

Councilmember Kevin Fitzgerald pointed out that the golf course is a strong marketing tool for tourism.

Councilmember O'Brien stated that he did not agree with the statement that senior citizens should not be given a discount. He pointed out that he feels senior citizens have helped make the golf course what it is today.

Councilmember Gary Gray asked if the City keeps track of the number of senior citizens who use the golf course.

City Administrator Johnson stated that the City does not have that capability at this time; however, the golf pro will be installing a new computer system and next year at this time that type of information could be made available.

Vote - All ayes; motion carried.

#14019. Councilmember Gary Gray moved that the request be approved for the burning of brush at the City's compost facility. Seconded by Councilmember Freese. All ayes; motion carried.

Mayor Phillips asked for an update on cable installation at Eagle Ridge.

City Administrator Johnson stated that cable service was available to residents of Eagle Ridge as of January 31, 1995.

#14020. Councilmember Phil Fitzgerald moved to go into Executive Session at 9:12 p.m. to discuss labor negotiations and property acquisition. Seconded by Councilmember Moench. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried.

#14021. Councilmember Gary Gray moved to go out of Executive Session. Seconded by Councilmember Freese. All ayes: Councilmembers Gary Gray, Freese, Dan Gray, Moench, O'Brien, Phil Fitzgerald, and Kevin Fitzgerald. Motion carried.

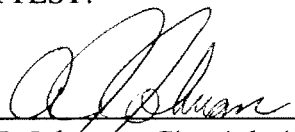
There was no action taken as a result of the Executive Session.

#14022. Councilmember Freese the meeting be adjourned. Seconded by Councilmember O'Brien. All ayes; motion carried.

The meeting adjourned at 9:28 p.m.

  
Jeanette Phillips, Mayor

ATTEST:

  
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A.J. Johnson, City Administrator