



City of Muscatine

CITY COUNCIL MINUTES

Thursday, April 13, 2023

1. **CALL TO ORDER**

Mayor Bark called the City Council meeting for April 13, 2023 to order at 06:00 PM.

2. **ROLL CALL**

Councilmembers Present: Nadine Brockert, John Jindrich, Jeff Osborne, Angie Lewis, Dennis Froelich, DeWayne Hopkins. Mayor Dr. Brad Bark, City Administrator Carol Webb and Administrative Secretary Cinda Hilger were also present. Councilmember Peggy Gordon was not present.

3. **PLEDGE OF ALLEGIANCE**

4. **COUNCIL DISCUSSION ITEMS**

A. Special Events Process Presentation

Kelsie Stafford, Program Supervisor for Parks and Recreation gave an overview of the Special Events Process. Ms. Stafford reviewed the process and steps for citizens to get approval for use of City Property for special events such as parades, weddings, musical events etc. There were questions from City Council regarding multiple events happening at the same place on the same day that were addressed by Ms. Stafford. Ms. Stafford stated one of the reasons for the Use of City Property Application is to avoid multiple events being held simultaneously. Ms. Stafford states that the biggest problem is that citizens do not know the process and requirements.

B. WRRF Capital Improvement Plan Report - Report on the Capital Improvement Plan for the Water and Resource Recovery Facility, lift stations and levee gatewells.

Jon Koch, Director of WPCP and Jay Brady of Stanley Consultants were present to give an overview of the WRRF Capital Improvement Plan Report. Mr. Brady discussed the process of listing all assets, age of assets, prioritizing assets and coming up with a project priority list. Mr. Brady discussed the list in detail regarding first priority, second priority and those that are discretionary at this time. Mayor Bark asked if City Council wished to move forward with the plan as presented.

There was a consensus with City Council members for staff to move forward with the Capital Improvement Plan.

- C. Sewer Rate Study results presentation - A presentation by Bob Veenstra of Veenstra and Kim on the latest Sewer Rate Study.

Bob Veenstra, Veenstra & Kimm, gave a presentation regarding the Muscatine Sewer Rate Study. Mr. Veenstra gave an overview of the Muscatine rate approach and how it differs from most other cities. Mr. Veenstra explained there are two rate systems, the Sewer User Rate and the Collection and Drainage Rates. Mr. Veenstra stated the yearly rate increase over the past 15 years has been 3% for sewer rates and 2% for collection and drainage. Mr. Veenstra suggests continuing with the 3% yearly increase in sewer rates and increasing the Collection and Drainage rates by 5% for the next 4 years to fund the redundant force line required, and then drop down to 3% in year 5. Mayor Bark asked if City Council agreed to proceed forward with adoption of the proposed rate and there was a consensus with City Council to move forward.

- D. Presentation on the Impact of a Change in State Law on the City's Home Occupation Regulations

Andrew Fangman, Assistant Community Development Director, gave a presentation regarding a change in State of Iowa Law regarding Home Occupation Regulations. Mr. Fangman states that due to the change in Iowa law, part of the City of Muscatine Code is not enforceable and should be changed. Mr. Fangman reviewed the changes that would need to be made to areas including: limiting the space allowed for a home business, pet kenneling as a home business, conducting business in the main dwelling of the home, restrictions on the number of customers per day, time restrictions on deliveries, rules regarding employees not living in the residents and the number of vehicles that can belong to a home business. There was discussion with councilmembers stating they didn't agree with many of the changes and was there a way to use other areas of code to control some of these activities? Mr. Fangman stated he would look into the codes to see what changes could be made and bring something back for Council at a later meeting if they would prefer. City Council agreed for staff to move forward with research and to come back to a future in-depth with more information regarding enforcement of home based businesses.

- E. Potential update to nuisance appeal process

Andrew Fangman, Assistant Community Development Director, gave a presentation regarding the Nuisance Appeal Process. Mr. Fangman gave an overview of how the current appeal process works and shared the idea of having an appeals officer that would hear appeals. He stated this officer would have the ability to make decisions regarding the appeals and if the resident was still unsatisfied, they would have the option to come before City Council to file another appeal. There was discussion with City Council members regarding the use of an appeals officer and the consensus was not in favor. City Councilmembers felt it was their duty to hear the citizens and that they would

not get as fair of an appeal if they were heard by a single person as opposed to the entire council.

5. **MAYOR AND COUNCIL REPORTS**

6. **ADJOURNMENT**

Councilmember Lewis moved the meeting be adjourned at 07:38 PM.