

CITY OF MUSCATINE
IN-DEPTH CITY COUNCIL MINUTES
Council Chambers – 7:00 p.m. – September 10, 2015

Mayor Hopkins called the City Council meeting for Thursday, September 10, 2015, to order at 7:00 p.m. Councilmembers present were Rehwaldt, Fitzgerald, Shihadeh, Bynum, Phillips and Spread.

The first item was a request to accept a grant agreement from the Federal Aviation Administration for the Runway Reconstruction Project at the Municipal Airport.

#23124. Councilmember Bynum moved the request be approved. Seconded by Councilmember Spread. All ayes; motion carried.

The next item on the agenda was a presentation on the proposed Muscatine Intermodal Container Port Project.

Community Development Director Dave Gobin stated the proposed concept gestated about one year ago with the help of Osama Shihadeh and the Kent Corporation who helped develop part of what is being presented tonight. He stated he feels the proposed project would be a valuable benefit to the city.

Mr. Gobin stated the objectives of the proposed project are 1) to demonstrate the benefit of high utilization of water transportation for the economic development of eastern Iowa and western Illinois, 2) to be based and led by the City of Muscatine, and 3) to install and promote a multi-modal container port in Muscatine to serve Iowa and Illinois.

Mr. Gobin stated that intermodal refers to freight carried in an interchangeable container using multiple modes of transportation (rail, barge, and truck) without the handling of the freight itself when changing modes. He stated that one barge would take approximately 50 trucks off the highway and approximately 15 cars off the rail system.

Mr. Gobin stated another objective is to make the port available to import and export for businesses and industries in the region. He stated he is finding new interest levels every day.

Mr. Gobin stated Muscatine would be a good location for a multi-modal port for the following reasons:

- Muscatine is strategically positioned in the middle of the United States, with local access to inland waterways, rail, warehousing and truck transportation.
- Having these logistical components provides a significant advantage for Muscatine's location, flexibility, and volume.
- There are no multi-modal container ports on the Upper Mississippi north of St. Louis, Missouri.

Mr. Gobin stated that current projections (without the port) show an increase in road and bridge maintenance costs from truck traffic and load weights and also show an increase in truck traffic volumes, crashes, and congestion.

Mr. Gobin stated the city's proposed plan is to convert an underused USACE permitted dock to an intermodal container port to serve eastern Iowa. He stated this would include the following:

- Identifying potential port sites locally
- Establishing a Muscatine Port Authority
- Entering into a P3 with the property owner
- Finalizing engineering and design of the port
- Fund raising (private, TIGER grant, EDA, etc.)
- Applying for permits (federal, state and Bi-State)
- Constructing and testing a port site
- Choosing an operator of the intermodal port
- Setting up one or more Foreign Trade Zones (FTZ)

Mr. Gobin stated there is a plethora of various funding sources.

Councilmember Spread asked if the TIGER grant was federal money, and Mr. Gobin answered yes.

There was discussion concerning the possibility of constructing a pilot type of port.

Mr. Gobin stated two studies have already taken place. He stated the study made by Bi-State has provided the city with a valuable database. He stated the second study was done by the State of Iowa for the entire state. He stated both studies support having intermodal facilities on the Mississippi River in eastern Iowa. He stated the city is way ahead of the curve and that the DOT and USACE are very supportive of this proposed project.

Mayor Hopkins stated he will be able to share this information at his Mayor's meeting next week in Dubuque. He then asked how many companies have shown an interest in this form of transportation.

Mr. Gobin stated he has talked personally with approximately a dozen companies and that approximately 15-20 companies know about it.

Councilmember Bynum asked where the proposed port would be located.

Mr. Gobin stated staff is currently looking at different areas and that once it is selected, negotiations will get underway.

Councilmember Bynum stated that currently there are a lot of barges being unloaded.

Mr. Gobin stated they are bulk load barges. He then stated that he feels the city should stay on track for next year in order to begin applying for some of the larger grants. He stated he would like to see small grants come in this fall. He stated the proposed project is gaining momentum and he feels that by this time next year, the city will be in the running for a test pilot program possibly by next spring.

Councilmember Rehwaldt asked if the barge companies have been receptive to this proposed project.

Mr. Gobin stated they want to partner with the city. He stated that interestingly enough, there are other port authorities south of us who want to collaborate with the city on this proposed project.

The next item on the agenda was a presentation on a new zoning ordinance entitled Keeping of Animals in Residential Districts.

City Planner Andrew Fangman stated it is being proposed that the keeping of animals in a residential district be moved to a stand-alone chapter that will apply to all residentially zoned parcels and will not supersede other portions of the City Code that regulate the keeping of animals.

Mr. Fangman stated the current zoning ordinance does not contain clear language regulating the keeping of farm type animals 30 pounds in size on residentially zoned parcels between 2 and 20 acres in size.

Councilmember Spread asked how many 2 to 20 acre parcels there are in the city.

Mr. Fangman stated there are about 100 or so.

Mr. Fangman stated that currently an interpretation of the definition of “agricultural activities” is relied on to provide regulatory guidance in these situations. He also stated the proposed chapter will contain clear and easily understandable regulations regarding these situations.

Mr. Fangman stated the proposed chapter would regulate the keeping of farm animals 30 pounds or more in size on residentially zoned parcels between 2 and 20 acres based on both the size of the animal and the size of the parcel in question. He stated the proposed regulations define and regulate animals based on the following four categories:

- Domestic Companion Animal
- Small Farm Type Animal
- Medium Farm Type Animal
- Large Farm Type Animal

Mr. Fangman provided a description of the animals contained in these four categories. He noted that the keeping of swine, roosters, peacocks, turkey gobblers or guinea fowl is prohibited on all parcels of less than 20 acres. He stated that because parcels of 20 acres or more are rural/agricultural in nature, it is logical that the regulations governing the keeping of animals on such parcels should be similar to the regulations that apply to keeping animals in the agricultural zoning district. He stated this is how these situations are regulated in the current zoning ordinance. He then then touched on the maintenance of pens and stalls and the setback requirements.

Mr. Fangman stated the current ordinance does not address bee keeping which is becoming a more popular hobby.

Mr. Fangman stated the current zoning ordinance does not allow for the keeping of any farm type animals, including chickens, on residentially zoned parcels smaller than two acres. He stated the proposed chapter recommends the continuation of this policy.

Mr. Fangman stated that throughout the extensive process of creating the city’s Comprehensive Plan, not a single comment was received on this policy. He stated the Planning and Zoning Commission has reviewed the proposed chapter at two separate meetings and both times declined to make a recommendation that this policy be changed.

There was discussion about property owners with horses.

Councilmember Shihadeh, speaking in reference to diseases, asked if the city would have a qualified inspector and how often the inspections would take place.

City Administrator Gregg Mandsager stated the city does not inspect animals. He stated that essentially, what Mr. Fangman's presentation tonight says is that chickens are not allowed under the current ordinance or the proposed ordinance.

Councilmember Spread stated he has received calls about chickens running loose on Myrtle Lane.

City Administrator Mandsager stated complaints about chickens at large would be handled by Community Development. He stated there is a local group looking to keep hens in their backyards. He stated there are various communities that do allow the keeping of small farm animals in backyards. He stated he would like to hear City Council's thoughts on this matter.

Jay Brady, 417 Kindler Avenue, stated he wanted to commend staff for their hard work on this issue. He stated he was speaking tonight on behalf of the Egg Gathering Group in Muscatine that was started in late August. He stated he has a document with 300 signatures from residents asking for less restrictions on the keeping of backyard hens.

Mr. Brady stated he feels the permitting of backyard hens falls in line with the Blue Zones principles. He stated the group is asking they be given an opportunity to work with city staff to develop a proposal that would allow for the keeping of backyard hens.

Mayor Hopkins asked for a consensus from Council to allow for the development of such a proposal. Everyone was in favor except for Councilmember Bynum.

City Administrator Mandsager suggested Council consider a trial program rather than an amendment to the City Code to see how it works. He asked if City Council would consider a trial program.

There was a consensus from Council to work with the Egg Gathering Group to create a trial program rather than an amendment to the City Code.

Mr. Brady thanked City Council for their willingness to create a trial program.

The final item on the agenda was a street cleaning/leaf pickup presentation by Public Works Director Randy Hill and Roadway Maintenance Supervisor Randy Howell.

Mr. Hill stated that street cleaning is one of four parts of the roadway maintenance operation. He stated that with a budget of \$189,800, both operations compliment Collection & Drainage.

Mr. Howell stated the street sweeping routes mimic the snow routes. He stated street sweeping is done the first part of April to pick up the residue left from the winter weather. He stated two vehicles are used for this process.

He stated the streets in the Central Business District are done a couple times a month.

Mr. Howell stated staff is preparing for this year's leaf pickup program which will begin October 12, 2015 and run for seven weeks. . He stated the city hires eight temporary employees to help during leaf pickup. He stated the city has eight zones that are each split into two parts.

Mr. Howell stated the leaf pickup schedule can be found on the city's website and will be included with the upcoming Muscatine Power & Water utility bill.

Councilmember Shihadeh stated a lot of residents were happy the city did not use cinders this past winter.

Under comments, Councilmember Rehwaldt commented about the statistics found in the MCHA brochure he and other Councilmembers had received.

City Administrator Mandsager stated it is time to think about dates for the goal setting session. He asked Councilmembers to look at their calendars to see if either October 27, 2015 or October 29, 2015 would work and then let him know.

#23125. Councilmember Shihadeh moved the meeting be adjourned at 8 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

Fran Donelson, Administrative Secretary