

**State of Iowa
City Development Board
Meeting Minutes of February 12, 2020
Iowa Economic Development Authority/IFA
1963 Bell Avenue, Suite 200, Gray's Lake Conference Room
Des Moines, Iowa**

Call to order 1:06 p.m.

Present

Dennis Plautz, Board Chairperson
Jim Halverson, Board Vice Chairperson
Mari Bunney
Chris McKee
Mackenzie O'Hair (arrived late)

Others Present

Matt Rasmussen, Administrator, City Development Board
Betty Hessing, Administrative Assistant, City Development Board
Emily Willits, Iowa Department of Justice
Eric Jensen, Planning & Building Director, City of Ankeny*
Chad Bird, City Manager, City of Decorah*
John Anderson, Attorney representing City of Decorah*
Stephanie Fromm, Representative for Decorah Jobs*
Maria Brownell, Ahlers & Cooney, P.C., representing Cedar Falls
Jenna Bishop, Ahlers & Cooney Law, representing Cedar Falls
Ron Gaines, City Administrator, City of Cedar Falls
Kevin Rogers, City Attorney, City of Cedar Falls*
Shane Graham, Economic Development Coordinator, City of Cedar Falls*
Kevin Olson, City Attorney, City of Coralville
Amy Beattie, Brick Gentry, P.C., Attorney representing City of Pleasant Hill
Ben Champ, City Manager, City of Pleasant Hill
Madeline Sturms, Community Development Director, City of Pleasant Hill

*Participated via teleconference

Introduction by Chairperson, Dennis Plautz

Roll Call by Matt Rasmussen, Board Administrator

All Board Members were present except Mackenzie O'Hair, as she arrived late.

Request for amendments to agenda

Motion by	Jim Halverson
Motion	I move to approve the agenda as presented.
Second	Mari Bunney
Roll Call	All ayes. Motion approved.

Consideration of December 11, 2019, business meeting minutes

Motion by Jim Halverson
Motion I move the minutes of December 11, 2019, be approved as printed and distributed.
Second Mari Bunney
Roll Call All ayes. Motion approved.

Elect Board Chair for 2020

Motion by Jim Halverson
Motion I move to nominate Dennis Plautz as Chair for 2020.
Second Chris McKee
Roll Call All ayes. Motion approved.

Elect Board Vice Chair for 2020

Motion by Mari Bunney
Motion I move to nominate Jim Halverson as Vice Chair for 2020.
Second Chris McKee
Roll Call All ayes. Motion approved.

New Business

UA20-01
Ankeny
Matt Rasmussen reported this is a 100% voluntary annexation for the City of Ankeny. He explained that when Emily Willits and he reviewed the map, it appeared to them that they were using road right-of-way to make the two parcels contiguous. He displayed the annexation territory on the map for Board. After discussing, Emily and Matt concluded that this should be handled in two actions. Mr. Rasmussen stated that we need a motion to amend the application; then we would have to table this pending the due diligence and the notice and then revisit this at the next monthly meeting and view this as two separate actions. Both parcels do connect to the current city boundary.

Eric Jensen was present via teleconference and stated they understood the situation. They thought they had done their due diligence on this and they had their attorney and County auditor review this and thought it could come in as one request, but they understand what Matt has explained. At this time, we are requesting the Board separate this request into two actions and delete that sliver of right-of-way from our request.

Jim Halverson stated in our history we have used road right-of-way to establish contiguity. Chairperson Plautz stated he thought we have done so before too. Jim Halverson stated that if a legal conclusion has been drawn that right-of-way can't be used to establish contiguity, then we will proceed on that basis. Chairperson Plautz stated

that if there is no objection from the City, then we will go ahead with what's being proposed, but he would like to go back and look at what's been done in the past.

Emily Willits stated that if the City had anything to add, to please do so. Eric Jensen replied that delaying this for a month for abundance of caution, doesn't do them any harm on this annexation. We're okay with tabling this and coming back at your next meeting with two applications.

Motion by
Motion

Jim Halverson

I move the Board request the City of Ankeny delete the road right-of-way to establish contiguity and the City file two amended applications.

Second
Roll Call

Mari Bunney

All ayes. Motion approved.

NC20-02
Decorah

Mackenzie O'Hair arrived.

Matt Rasmussen reported this proposed 80/20 annexation for the City of Decorah consists of 27.75 acres that are owned by Decorah Jobs, Inc., a property owner who consents to the annexation and 3 acres that are owned by A B Hanson Co., LLC, a non-consenting property owner. The proposed annexation also includes 0.51 acres of Winneshiek County owned right-of-way. This annexation promotes orderly growth of Decorah by annexing land surrounded by the existing corporate city limits on two sides. The annexation territory is adjacent to an area of land developed as the Decorah Business Park. The Decorah Business Park is located on Highway 9, across from the Decorah Municipal Airport and on the east edge of Decorah. The involuntary parcel is surrounded on three sides by the Decorah Business Park that is already annexed into the City, and on the other side by the voluntary parcel, owned by Decorah Jobs, Inc. Decorah has a need for additional developable commercial land inventory and said annexation would be in accordance with Decorah's Comprehensive Plan and in the overall best interests of Decorah.

There are no urban service agreements, 28E agreements or annexation moratorium agreements that involve the annexation territory and Matt Rasmussen reported this packet appears to be complete and properly filed.

Representatives participating by teleconference included Chad Bird, City Administrator for Decorah; John Anderson, Attorney representing City of Decorah; and Stephanie Fromm, Representative for Decorah Jobs. Board members did not have any questions.

Motion by

Chris McKee

Motion	I move the Board find NC20-02 as complete and properly filed and that a date for a public hearing be scheduled.
Second Roll Call	Mackenzie O'Hair All ayes. Motion approved. A public hearing was scheduled for March 11, 2020, at 1:30 p.m.
UA20-03 Cedar Falls	<p>Matt Rasmussen reported this is a 100% voluntary annexation for the City of Cedar Falls consisting of one 209-acre parcel owned by the City of Cedar Falls and seven privately-owned parcels that range in size from 1.41 acres to 21.13 acres. Two hundred acres of the City-owned parcel is agricultural. The remaining nine acres of the City-owned parcel is currently used as an electric substation. The City-owned parcel is planned for development for commercial and industrial uses. The seven privately-owned lots are currently residential. The City anticipates these seven lots will continue to be residential after annexation.</p> <p>The City does not currently provide any services to the territory. Following annexation, the City anticipates providing all utilities, water and sewer, and emergency services to the territory, along with making available all other city amenities. The City and each of the seven private property owners within the annexation territory have entered into pre-annexation agreements in which the City will allow the owners to continue the use of private wells and septic systems until such time as the owners choose to connect to the City's water and sewer utilities.</p> <p>The annexation is not subject to a Moratorium Agreement and he reported that the packet does appear to be complete and properly filed.</p> <p>Present to explain further and answer questions, were Maria Brownell, Attorney representing the annexation, and Ron Gaines, City Administrator for the City of Cedar Falls. Also present via telephone were Kevin Rogers, City Attorney, and Shane Graham, Economic Development Coordinator for the City of Cedar Falls. The Board did not have questions.</p>
Motion by Motion	Jim Halverson I move the Board find UA20-03 as complete and properly filed and in the public interest and that it be approved.
Second Roll Call	Mari Bunney All ayes. Motion approved.
UA20-04 Coralville	Matt Rasmussen stated this is a 100% voluntary annexation request for the City of Coralville. The property is being annexed into the City to be used as right-of-way of

1st Avenue, for an addition to the City-owned Brown Deer Golf Club and will pave the way for development of two multi-unit residential cooperatives that will be marketed and built to serve citizens that are fifty-five years or older. All City services will be provided to the proposed annexation. There are currently no annexation moratorium agreements in effect that are related to the property being annexed. Matt Rasmussen reported that the packet does appear to be complete and properly filed.

Kevin Olson, City Attorney for Coralville, was present to explain further and answer questions, but no questions were asked.

Motion by
Motion

Mari Bunney
I move the Board find UA20-04 as complete and properly filed and in the public interest and that it be approved.

Second
Roll Call

Jim Halverson
All ayes. Motion approved.

NC20-05
Pleasant Hill

Matt Rasmussen explained this was an 80/20 annexation proposal for the City of Pleasant Hill.

More than 80% of property owners in the area filed applications for voluntary annexation. More uniform City boundaries would occur if this annexation is approved. The current land use is agricultural or residential and will be zoned A-1 Agricultural/Open Space Zoning District until such classification is changed by amendment in accordance with provisions of the zoning ordinance and the Comprehensive Plan for Pleasant Hill. The Comp Plan shows the land as either Low Density Residential, Medium Density Residential, or Residential Commercial Flex.

The properties are or will be served by Pleasant Hill water and sewer.

This annexation is subject to an existing moratorium agreement & urban service area agreement with the City of Altoona and is consistent with the terms of the agreement.

County road right-of-way will be part of the territory annexed in this proposal. Matt Rasmussen reported that the packet does appear to be complete and properly filed. He also displayed where the area proposed for annexation is on map.

Amy Beattie, Attorney representing City of Pleasant Hill; Ben Champ, City Manager; and Madeline Sturms; Community Development Director, were present to

explain further and answer questions. No questions were asked.

Motion by Chris McKee
Motion I move the Board find NC20-05 as complete and properly filed and that a date for a public hearing be scheduled.

Second Jim Halverson
Roll Call All ayes. Motion approved.
A public hearing was scheduled for March 11, 2020, at 2:00 p.m.

Staff Reports Matt Rasmussen reported we have one or two 100% voluntary annexations for next month. Emily Willits had nothing to report.

Future Meeting March 11, 2020, at 1:00 p.m., City Development Board Business Meeting at IEDA/IFA, 1963 Bell Ave., Ste. 200, Gray's Lake Conference Room, Des Moines, Iowa.

March 11, 2020, 1:30 p.m., Decorah (NC20-02) Public Hearing at IEDA/IFA, 1963 Bell Ave., Suite 200, Gray's Lake Conference Room, Des Moines, Iowa

March 11, 2020, 2:00 p.m., Pleasant Hill (NC20-05) Public Hearing at IEDA/IFA, 1963 Bell Ave., Suite 200, Gray's Lake Conference Room, Des Moines, Iowa

Adjourn 1:40 p.m.

Respectfully Submitted,
Betty Hessing, Administrative Assistant