

**State of Iowa  
City Development Board  
Meeting Minutes of September 9, 2020  
Iowa Economic Development Authority/IFA  
1963 Bell Avenue, Suite 200  
Des Moines, Iowa  
TELEPHONIC MEETING**

**Call to order 1:00 p.m.**

**Present**

Dennis Plautz, Board Chairperson\*  
Jim Halverson, Board Vice Chairperson\*  
Mari Bunney\*  
Mackenzie O'Hair\*

**Absent**

Chris McKee

**Others Present**

Matt Rasmussen, Administrator, City Development Board  
Betty Hessing, Administrative Assistant, City Development Board  
Emily Willits, Iowa Department of Justice\*  
Alex Pfaltzgraff, Development Services Director, City of Grimes\*

\*Participated via teleconference

**Introduction by Chairperson, Dennis Plautz**

**Roll Call by Matt Rasmussen, Board Administrator**

All Board Members were present via teleconference except Chris McKee.

**Request for amendments to agenda**

Motion by	Jim Halverson
Motion	I move to approve the agenda as presented.
Second	Mackenzie O'Hair
Roll Call	All ayes. Motion approved.

**Consideration of August 12, 2020, business meeting minutes**

Motion by	Mackenzie O'Hair
Motion	I move the minutes of August 12, 2020, be approved as printed and distributed.
Second	Mari Bunney
Roll Call	All ayes. Motion approved.

**New Business**

NC20-21 Grimes	Matt Rasmussen stated this was an 80/20 annexation proposal to the City of Grimes. The proposed annexation encompasses approximately 94.8 acres and is located
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within the Grimes planning territory. The non-consenting parcel consisting of 9.74 acres is included in the annexation territory. There is county road right-of-way to the centerline of NW 82nd Avenue, which adjoins and bisects the annexation territory. The City of Grimes' adopted Future Land Use Plan indicates the property shall be developed as Low Density Residential, which emphasizes single family detached development. The City is currently developing plans to extend sanitary sewer to this property, which will ultimately provide service to over 500 acres of future development property. Water service is currently available to the property. The annexation territory is not subject to an existing moratorium agreement and Mr. Rasmussen reported the annexation filing appears to be complete and properly filed.

Alex Pfaltzgraff, Development Services Director for the City of Grimes was present via teleconference to answer questions from board members. No questions were asked.

Motion by  
Motion

Mackenzie O'Hair

I move the Board find NC20-20 as complete and properly filed and that a date for public hearing be set.

Second  
Roll Call

Mari Bunney

All ayes. Motion approved.

### **Staff Reports**

Matt Rasmussen reported he did receive a phone call from the Henry County Board of Supervisors regarding the status of the Mount Union discontinuance. Emily Willits stated the oral arguments are being heard by the Court of Appeals on September 10<sup>th</sup>. A case that is being heard by them is where a group of residents in the former City of Mount Union have sued to try to reverse the defamation judgement. There was a defamation case against the City of Mount Union and the trial court issued judgement in favor of the plaintiffs in that case and a group of residents have filed a lawsuit basically seeking to vacate that judgement. This has been pending for close to a couple of years. Initially when they filed their lawsuit, they named the City Development Board as a defendant. We filed a Motion to Dismiss, saying we are not a proper defendant to this case—this is not the way you challenge the Board's actions. There is a separate case going on that's called a "Judicial Review of the Board's decision" which is the proper way to challenge a decision of the Board, so that case is currently stayed, pending the outcome of this case that's being heard tomorrow. If you are interested in watching, the Iowa Court of Appeals has a U-Tube channel and they livestream their oral arguments. One of the items being

appealed in this case is the decision to dismiss the Board out of the case. Emily's colleague will be arguing that the Court of Appeals should uphold the dismissal of the Board from that case because we are not a proper party of the case, seeking to overturn the defamation judgement.

**Future Meeting/  
Public Hearing**

October 14, 2020, at 1:00 p.m., City Development Board Business Meeting via Teleconference only

October 14, 2020, at 1:30 p.m., Grimes (NC20-21) Public Hearing via Virtual only

**Adjourn**

1:15 p.m.

Respectfully Submitted,  
Betty Hessing, Administrative Assistant