

**State of Iowa
City Development Board
Meeting Minutes of May 9, 2018
Iowa Economic Development Authority
200 E. Grand Avenue, 2nd Floor Main Conference Room
Des Moines, Iowa**

Call to order 1:00 p.m.

Present

Dennis Plautz, Board Chairperson
Jim Halverson, Board Vice Chairperson*
Barbara Brown
Jay Howe*
Chris McKee

Others Present

Matt Rasmussen, Administrator, City Development Board
Betty Hessing, Administrative Assistant, City Development Board
Emily Willits, Iowa Department of Justice
Matt Flynn, Sr. Planning Manager, City of Davenport
Eric Carstens, Planning Administrator, City of Ankeny
Eric Jensen, Planning & Building Director, City of Ankeny
Deb Gervais, Planner, City of Ankeny
Dean Wheatley, Planning Director, City of North Liberty*

*Participated via teleconference

Introduction by Chairperson, Dennis Plautz

Roll Call by Matt Rasmussen, Board Administrator

All Board Members were present.

Request for amendments to agenda

Motion by	Jay Howe
Motion	I move to approve the agenda as presented.
Second	Barbara Brown
Roll Call	All ayes. Motion approved.

Consideration of April 11, 2018, business meeting minutes

Motion by	Jim Halverson
Motion	I move the minutes of April 11, 2018, be approved as printed and distributed.
Second	Barbara Brown
Roll Call	All ayes. Motion approved.

Old Business

D17-03
Delphos

Matt Rasmussen explained the Board approved the discontinuance of the City of Delphos at its October 4, 2017, Board meeting. The six-month timeframe of which the Board is charged with adjudication of claims against the City, expired in April. There were no claims against the City. The total receipts, minus a couple of expenses, left us with a balance of \$10,655.75. Total expenses amounted to \$242.44, which was for the recording fee and the Mount Ayr Record News for the publication of the six-month adjudication period for the Delphos discontinuance. The available balance to send to the County is \$10,655.75. We are in good shape to finalize the discontinued City of Delphos.

Motion by
Motion

Jim Halverson

I move the City Development Board find that the claim adjudication process for Delphos, which was previously discontinued by this Board, is now complete and under Iowa Code Section 368.21, having all claims against the former city fully adjudicated, and direct staff to forward all remaining funds from the former city to the Ringgold County Treasurer and to close this case.

Second
Roll Call

Jay Howe

All ayes. Motion approved.

New Business

UA18-06
Davenport

Matt Rasmussen reported this was a 100% voluntary annexation for the City of Davenport, consisting of 155 acres. The proposed annexed territory is located west of Hillandale Road south of Slopertown Road. The property is currently in row crops. Upon annexation, the City will discuss rezoning the property to M-1, Light Industrial District with the respective owners. Full urban services are already in place or are nearby, including power from Mid-American Energy Company, and water from Iowa-American Water Company. Municipal services including sanitary sewer, public works and emergency response will be provided by the City of Davenport. The territory is not subject to an existing moratorium agreement. The packet appears to be complete and properly filed.

Matt Flynn, Sr. Planning Manager for the City of Davenport, was present to answer questions of the Board.

Motion by
Motion

Jay Howe

I move the Board find UA18-06 as complete and properly filed and in the public interest and that it be approved.

Second
Roll Call

Barbara Brown

All ayes. Motion approved.

UA18-07
Davenport

Matt Rasmussen reported this was a 100% voluntary annexation for the City of Davenport. Annexation petition consists of 16.84 acres of property located along Slopertown Road and west of Division Street. This property is part of the Sterilite development which was withheld from annexation previously until the City of Eldridge annexed property north of Slopertown Road. Matt Rasmussen pointed out that on the maps, it would appear as though the approval of this annexation would create an island, but the annexation that was approved last month for the City of Eldridge, eliminates that island. Upon annexation, the City will discuss with the respective owners, rezoning the property to M-1, Light Industrial District. Full urban services are already in place or are nearby, including power from Mid-American Energy Company and water from Iowa-American Water Company. Municipal services including sanitary sewer, public works and emergency response will be provided by the City of Davenport. It is not subject to an existing moratorium agreement and it appears to be complete and properly filed.

Matt Flynn, Sr. Planning Manager for the City of Davenport, was present to answer questions of the Board.

Motion by
Motion

Barbara Brown
I move the Board find UA18-07 as complete and properly filed and in the public interest and that it be approved.

Second
Roll Call

Jim Halverson
All ayes. Motion approved.

UA18-08
Davenport

Matt Rasmussen stated this is a 100% voluntary annexation for the City of Davenport consisting of .24 acres. This property is currently utilized as railroad right-of-way owned by the City of Davenport. Full urban services are already in place or are nearby, including power from Mid-American Energy Company and water from Iowa-American Water Company. Municipal services including sanitary sewer, public works and emergency response will be provided by the City of Davenport. The territory is not subject to an existing moratorium agreement and it does appear to be complete and properly filed.

Matt Flynn, Sr. Planning Manager for the City of Davenport, was present to answer questions of the Board.

Motion by
Motion

Barbara Brown
I move the Board find UA18-08 as complete and properly filed and in the public interest and that it be approved.

Second

Jay Howe

Roll Call	All ayes. Motion approved.
UA18-11 Ankeny	<p>Matt Rasmussen stated this is a 100% voluntary annexation of 80 acres for the City of Ankeny. It's adjacent to the northeast quadrant of Ankeny and generally located north of NE 54th Street and west of NE 22nd Street, which is now county road. This area is identified in the draft 2040 Comprehensive Plan as Low Density Residential. If the property is annexed, it will be zoned R-1, One-Family Residence District. Public utilities exist to the south of this property, which can be extended to serve this area. It was understood by the applicants that all streets, alleys, boulevards, sewers, water service and other public utilities located within the proposed annexation, were to be installed at the sole expense of the developer. This annexation is not subject to a moratorium agreement. This annexation is subject to and in compliance with an annexation agreement between the City of Ankeny and the City of Alleman. Mr. Rasmussen stated that the petition appears to be complete and properly filed.</p>
Motion by Motion	<p>Eric Jensen, Planning & Building Director for the City of Ankeny, was present to answer questions of Board.</p> <p>Chris McKee I move the Board find UA18-11 as complete and properly filed and in the public interest and that it be approved.</p>
Second Roll Call	<p>Barbara Brown All ayes. Motion approved.</p>
UA18-12 North Liberty	<p>Matt Rasmussen stated this is a 100% voluntary annexation for the City of North Liberty consisting of 77 acres. The proposed annexation is generally located east of Interstate 380 and south of St. Andrews Drive. There is one private home on a 9.3 acre parcel within the annexation area. This annexation is consistent with the annexation agreement between North Liberty and Tiffin and will help address a pressing need for additional residential development area within the corporate limits. City water and sanitary sewer services are immediately available to the site. All other typical City services will be provided by the City upon annexation, including street maintenance (already managed by the City), police, fire, garbage pickup, building inspections and enforcement, and others.</p> <p>This annexation is consistent with the annexation agreement between North Liberty and Tiffin. Two public roads are adjacent to this annexation area—Kansas Avenue and St. Andrews Drive—and both half-streets are included in this annexation request. Kansas Avenue,</p>

currently gravel partly unincorporated between Forevergreen Road and St. Andrews Drive, is planned to be reconstructed to urban standards by North Liberty this year, and the City will be accepting ongoing maintenance. Matt Rasmussen reported to Board that this packet appears to be complete and properly filed.

Dean Wheatley, Planning Director for the City of North Liberty, was present via teleconference to explain further and answer questions from the Board.

Motion by
Motion

Jim Halverson

I move the Board find UA18-12 as complete and properly filed and in the public interest and that it be approved.

Second
Roll Call

Jay Howe

All ayes. Motion approved.

Original Notice and Petition for Declaratory Judgment in Mount Union.

The potential need for a closed session discussion pursuant to Iowa Code 21.5(1)(c).

Chairperson Plautz referred this to Emily Willits and asked for her comments.

Emily Willits stated she could give the Board a high-level overview of this without going into closed session. If the Board has questions about litigation strategy or that type of thing, then she would recommend going into closed session.

Ms. Willits stated she wanted to make the Board aware of a new lawsuit that has been filed. Some of the residents in the former City of Mount Union area, have filed a Petition for Declaratory Judgment in Henry County. As you will recall, we already have one case pending in Henry County, which is an appeal of this Board's decision in the Mount Union discontinuance. So, this is a second action by some of the same individuals—and Ms. Willits has already filed a Motion to Dismiss this second action on behalf of the Board. We argued that procedurally the judicial review or appeal proceeding is the correct way to do it. You can't do it as a separate stand-alone action. Emily Willits will keep the Board posted once we have a ruling, but right now we're waiting.

Chairperson Plautz asked if we had gone down this road before and Emily Willits stated she could not remember if this came in before or after our meeting in April. This is just an FYI at this point and she will keep the Board posted. Chairperson Plautz asked if Board members had questions and no one did. Chairperson Plautz stated to do what you are doing, and Ms. Willits thanked him.

Staff Reports

Matt Rasmussen reported that he was on vacation last month and so he missed Sarah Beatty's last meeting of being on the City Development Board. Matt Rasmussen wrote Ms. Beatty a letter thanking her for serving on the Board and included her name badge as a memento of her service on the Board. She wrote a nice letter in

response, dated April 25, 2018. Matt Rasmussen read her letter.

Dear Matt,

My thoughts are with you and Betty this week, as I know you will be preparing for the CDB meeting on the 9th. I appreciate receiving the IEDA nametag. I will keep it as a memento for my term of service on the Board. Also, I send a sincere thank you to the Board members as well as to you and Betty for the thoughtful note. Best wishes to all of you as your new term begins.

Sincerely,

Sarah Beatty

Chairperson Plautz thanked Matt Rasmussen.

Matt Rasmussen stated we could potentially have an annexation for the City of Des Moines.

Emily Willits did not have anything to report.

Future Meeting

June 13, 2018, at 1:00 p.m., City Development Board Business Meeting at IEDA, 200 E. Grand Ave., 2nd Floor Main Conference Room, Des Moines, Iowa

Adjourn

1:48 p.m.

Respectfully Submitted,
Betty Hessing, Administrative Assistant