

**State of Iowa
City Development Board
Meeting Minutes of May 11, 2022
Iowa Economic Development Authority
1963 Bell Avenue, Suite 200, Helmick Conference Room
Des Moines, Iowa**

Call to order 1:02 p.m.

Present

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

Others Present

Matt Rasmussen, Administrator, City Development Board
Betty Hessing, Administrative Assistant, City Development Board
Alan Nagel, Iowa Department of Justice
Vicky Clinkscales, IT Department, IEDA
Lori Judge, IDOT*
Anthony Volz, IDOT*
Nathan Aronson, IDOT*
Tawnia Kakacek, City Clerk, City of Swisher*
Ryan Rusnak, Planning Director, City of North Liberty*
Rita Conner, City Administrator, City of Huxley*
Michael Totenhagen, Hallett Materials*
Sarah Ames, City Administrator, City of Van Meter*
Sadie, Guest*

*Participated via Teams Webinar

Introduction by Chairperson, Dennis Plautz

Roll Call by Matt Rasmussen, Board Administrator

All Board Members were present.

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 April 13, 2022, Business Meeting Minutes

Motion by Jim Halverson
Motion I move the Business meeting minutes of April 13, 2022, be approved as printed and distributed.
Second Mackenzie O’Hair
Roll Call All ayes. Motion approved.

New Business

UA22-14
Bertram
Matt Rasmussen gave an overview of this 100% voluntary annexation proposal for the City of Bertram consisting of 1.28 acres. The property owners own an approximate 4.47 acre tract at Blaine's Crossing Road in Bertram. The City of Bertram's city limits bisect their parcel with approximately 3 acres being within the City's limits and 1.28 acres outside the City's limits. The property owners would like to move all of their land into the City. Their plans are to then split their parcel into two lots so a relative can build a home next to theirs.

The City of Cedar Rapids has a finger that extends from the City proper along the Cedar River to its sewage treatment facility and a recreational lake acquired from IDOT who created it as a barrow pit when adding additional lanes to State Highway 13/US 151. The proposed annexation will also allow the City to pursue grants to extend city water which would prevent the necessity of drilling a new well. The proposed additional home would utilize existing roads and revitalize the area as old farm buildings will be removed and the area cleaned-up. The City of Bertram is unaware of any annexation moratorium agreements for this area.

Matt Rasmussen stated this annexation appears to be complete and properly filed. The Board had no questions.

Motion by Jim Halverson
Motion I move the Board finds UA22-14 as complete and properly filed and in the public interest and that it be approved.
Second Mari Bunney
Roll Call All ayes. Motion approved.

NC22-15
Swisher
Jim Halverson stated his employer, HR Green, serves as the City Engineer for the City of Swisher. Jim Halverson stated he had no involvement in preparing the application, so he does intend to participate in the discussion and vote, but he wanted to put this in the record. Chairperson Plautz thanked Mr. Halverson and asked if counsel had any comments and Mr. Nagel did not have any comments.

Matt Rasmussen gave an overview of this 80/20 annexation proposal for the City of Swisher consisting of 37.4 total acres, with 1.4 acres being non-consenting. The owners of the 36 acre parcel desire to subdivide their property for development of residential uses. The current zoning classification of the parcels for annexation is "Agricultural" by Johnson County. An application for rezoning and subdivision preliminary/final plats will be submitted at a later time. This is consistent with Swisher's Comprehensive Plan. At present, there is no municipal water system in the City of Swisher, however the applicants will connect to a proposed well system and will plan for future connections to a city main system in the future; sanitary sewer collection will be provided by the City of Swisher; solid waste collection is provided to the City of Swisher by Johnson County Refuse; law enforcement is currently provided by the Sheriff of Johnson County, and therefore, would be no change in law enforcement provisions; the road care and maintenance for Swisher View Drive (the only road adjoining the property) will be maintained by the City of Swisher. Other private utility systems will be provided to the site on an as needed basis.

The area proposed for annexation is not subject to a current moratorium agreement. County-owned road right-of-way has been included in the proposal pursuant to Iowa Code section 368.5 and the city has complied with the notice requirements of that section.

Matt Rasmussen stated the filing appears to be complete and properly filed.

Tawnia Kakacek, City Clerk for the City of Swisher, was present to answer questions from Board members.

Motion by
Motion

Chris McKee
I move the Board finds NC22-15 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.
Alan Nagel asked for a motion on the date and time for scheduling the public hearing.

Motion by
Motion

Jim Halverson
I move the public hearing for NC22-15, Swisher, be scheduled for June 8 at 1:30 p.m.

Second
Roll Call

Mackenzie O'Hair
All ayes. Motion approved.

UA22-16
Swisher

Matt Rasmussen gave an overview of this 100% voluntary annexation proposal for the City of Swisher,

consisting of 40 acres. The applicants/owners of the parcel desire to subdivide the 40 acre property for development of residential use. The current zoning classification of the parcel for annexation is "Agricultural" by Johnson County. An application for re-zoning and subdivision preliminary/final plats will be submitted at a later time. This is consistent with Swisher's Comprehensive Plan.

At present, there is no municipal water system in the City of Swisher, however the applicants will connect to a proposed well system and will plan for future connections to a city main system in the future; sanitary sewer collection will be provided by the City of Swisher; solid waste collection is provided to the City of Swisher by Johnson County Refuse, which has been properly notified of the annexation and has not filed an objection as to the annexation; law enforcement is currently provided by the Sheriff of Johnson County and therefore, would be no change in law enforcement provisions; the road care and maintenance for Gable Avenue (the only road adjoining the property) will be maintained by Johnson County. Other private utility systems will be provided to the site on an as needed basis.

The area proposed for annexation is not subject to a current moratorium agreement. Mr. Rasmussen stated there is a hand-written letter in your packet, written by Larry Igou who lives on Gable Avenue and objects to the annexation.

Matt Rasmussen stated this annexation appears to be complete and properly filed.

Chairperson Plautz asked if Swisher's representative would like to make any comments in regards to the road, which is Mr. Igou's issue. Tawnia Kakacek, City Clerk for Swisher, stated they have an agreement with Johnson County on the maintenance of that road. Once this annexation is final, we will be doing a new agreement on maintenance of the roads because it will be expanding. Larry Igou is in Johnson County, just adjoining, across the road from the proposed annexation. He is not happy with what Johnson County has been doing, but we will be reviewing and having to do a new agreement on the roads. Currently, those roads are just gravel and that will be changed once we do the developments. Chairperson Plautz stated that was the crux of his concern—he wanted someone to pave it if it was going to be annexed. For the record, that is not in the purview of this Board in this particular instance.

Motion by
Motion
Second
Roll Call

No more questions or comments were made.
Mackenzie O'Hair
I move the Board finds UA22-16 as complete and properly filed and in the public interest and that it be approved.
Chris McKee
All ayes. Motion approved.

UA22-17
North Liberty

Matt Rasmussen explained this is a 100% voluntary annexation for North Liberty consisting of 24.38 acres. The Scanlon Family, LLC and the Trustees of Penn Township (ALT Wein Cemetery) are requesting annexation into North Liberty. The Scanlon Family LLC portion is currently undeveloped. The City has been in discussion with the property owner about developing the property with home sites. The ALT Wein Cemetery has no public access and annexation of the ALT Wein Cemetery and development of the Scanlon Family, LLC property would allow public access to the cemetery.

Water, sanitary and storm sewer infrastructure are adjacent to the property. All other typical city services will be provided upon annexation, including fire, police, refuse pick-up and others. There is a planned 8' wide multi-use trail on the east side of North Liberty Road.

The proposed annexation is not subject to an existing moratorium agreement.

County-owned road right-of-way is included in the territory to be annexed and pursuant to Iowa Code §368.5, the City has complied with the notice requirement of that Code Section by sending the required notice to the Office of the Johnson County Attorney.

Matt Rasmussen stated this annexation packet appears to be complete and properly filed. Mr. Rasmussen noted that he's had some communication with the IDOT and they typically participate in these meetings. We provide them copies of the annexation notices. The IDOT creates a master map for the State of Iowa. The official map keepers are the county auditors, so what the City is required to do is to provide a copy of the application, which includes the legal to the county auditor to verify the accuracy of the legal description and ownership and North Liberty did that in this case. We have had some E-mail exchange with Lori Judge from the IDOT regarding what they think is a better legal description for the cemetery portion of this annexation. The cemetery is completely surrounded by the Scanlon property. With that caveat, the auditor verified the accuracy of the legal

description originally, so I think that if the IDOT has a different legal description—my opinion is as long as the Auditor is okay with the legal description and they can make the proper delineation when it's all said and done, I think we are okay with it. Chairperson Plautz agreed. Lori Judge explained her case and stated the legal description is not current, as it mentions wagons and carriages. The county thought they would have to get lawyers involved if they were going to try and change the original description, but the overall parcel would encompass it anyway. The cemetery description for the IDOT is a mute point. Chairperson Plautz stated he agreed with Matt Rasmussen that we rely on the county.

Ryan Rusnak, Planning Director for the City of North Liberty, was present to answer questions; no questions were asked. Ryan Rusnak stated that the legal descriptions will get cleaned-up as this property is platted and subdivided.

Motion by
Motion

Chris McKee
I move the Board finds UA22-17 as complete and properly filed and in the public interest and that it be approved.

Second
Roll Call

Mackenzie O'Hair
All ayes. Motion approved.

UA22-18
North Liberty

Matt Rasmussen explained the proposed 100% voluntary annexation for the City of North Liberty consists of 64.18 acres. Colony 1927, LLC property is surrounded by the corporate boundary of North Liberty to the north, west and south. In accordance with the 28E Agreement, the City of North Liberty is currently maintaining South Front Street. The property is currently being utilized for agricultural use and a seasonal Colony Pumpkin Patch agri-tourism operation. Anticipated uses of the property would be the same as the current uses. The City has adopted "agricultural experience" regulations, so the use of the property would not be a non-conforming use once the property is annexed into the City of North Liberty.

Water, sanitary sewer and storm sewer infrastructure are adjacent to the property. All other typical city services will be provided upon annexation, including police, fire, refuse pick up and others.

The territory proposed for annexation is not subject to an existing moratorium agreement. Matt Rasmussen stated this annexation packet appears to be complete and properly filed.

Ryan Rusnak, Planning Director for the City of North

Liberty, was present to answer questions; no questions were asked.

Motion by Mari Bunney
Motion I move the Board finds UA22-18 as complete and properly filed and in the public interest and that it be approved.

Second Chris McKee
Roll Call All ayes. Motion approved.

UA22-19 Matt Rasmussen explained the proposed 100% voluntary North Liberty annexation for the City of North Liberty consists of 3.59 acres. CMW Properties, LLC is the contract purchaser of property owned by Randal J. & Dawne M. Hammes. The Hammes have acknowledged the proposed annexation. The 3.41 acre property is developed with a home and has agricultural pasture. The City has been in discussions with the contract purchaser about combining this property with three contiguous properties to the north, which are owned by the contract purchaser and redeveloping them with a mixed-use development.

Water, sanitary and storm sewer infrastructure are adjacent to the property. All other typical city services will be provided upon annexation, including police, fire, refuse pick up and others. The proposed annexation territory is not subject to an existing moratorium agreement.

Matt Rasmussen stated this annexation packet appears to be complete and properly filed.

Ryan Rusnak, Planning Director for the City of North Liberty, was present to answer questions; no questions were asked.

Motion by Jim Halverson
Motion I move the Board finds UA22-19 as complete and properly filed and in the public interest and that it be approved.

Second Mari Bunney
Roll Call All ayes. Motion approved.

Staff Reports Matt Rasmussen stated that thus far for our June meeting, we have three 100% voluntary annexation petitions for the City of Sageville.

Matt Rasmussen stated he looked to see if the Mount Union decision had been made by the Judge, but nothing had been decided yet.

Chairperson Plautz stated there was a fairly large article in the Des Moines Register last week regarding Ankeny and Alleman. Matt Rasmussen stated he has been talking to both cities. Chairperson Plautz asked Matt Rasmussen to forward the article to the Board as an FYI.

Matt Rasmussen explained that Alleman is just north of Ankeny and Ankeny is growing like gangbusters and have been for a long time. They are expanding to the north and Alleman is annexing to the south to provide some kind of a buffer for Ankeny to stop annexing to the north. Mr. Rasmussen stated he did talk to the attorney for Ankeny regarding an annexation. They had to re-do some of their notices and they are planning to hold their public hearing in June for an 80/20 annexation. Alleman is initiating an 80/20 of their own to the south, so there may be competing parcels in those two annexations. Matt Rasmussen stated he will scan the Des Moines Register article and forward it to the Board.

**Future Meeting/
Public Hearing**

June 8, 2022, at 1:00 p.m., City Development Board Business Meeting at IEDA, 1963 Bell Ave., Suite 200, Helmick Conference Room, Des Moines or via Teams Webinar.

June 8, 2022, at 1:30 p.m., NC22-15, Swisher Public Hearing at IEDA, 1963 Bell Ave., Suite 200, Helmick Conference Room, Des Moines or via Teams Webinar.

Adjourn 1:33 p.m.

Respectfully Submitted,
Betty Hessing, Administrative Assistant