

Committee of the Whole
January 13, 2015

Present: Mayor Vulich, Council Members McGraw, Rowland (by telephone), Gassman, Determann, Wilke, O'Neill, Allesee, City Administrator, City Attorney, City Clerk, Press and interested citizens.

1. Planning Commission Referrals:

a. Rezoning of the 700 Block of North 18th Street – Ron Fletcher

City Administrator Kinser advised the Council that Mr. Ron Fletcher had gone before the Planning Commission with his request and they approved it; however, he needed to produce additional documents. She stated that he has obtained the required documents and is now back with his request.

Councilmember O'Neill stated that Mr. Fletcher's request had never been placed on the agenda for the Planning Commission. City Administrator Kinser stated that his request had appeared on the August 13, 2014 Planning Commission agenda; however, was pulled from the Committee of the Whole until the necessary documents were obtained. Councilmember O'Neill stated that the neighbors can attend the Planning Commission if they have any questions and objections and they were never informed. Mr. Ron Fletcher advised the Council that all of the neighbors were sent information. He stated that persons opposed to his proposal were there to speak during the August meeting. Councilmember O'Neill stated that Mr. Dan Dolan was not informed of the meeting.

Mr. Ron Fletcher advised the Council that he has six acres of property on North 18th Street. He stated that he is proposing the development of 34 single family units. He continued in stating that he came back to the City one year after his first proposal and their recommendation was to zone the land R-5. He further stated that his property is bordered on one side by land zoned commercial, one side by Dan Dolan's development and another side with residential land.

Mr. Fletcher stated that there is plenty of housing on opposite ends of the price range; however, there are not enough homes for middle class families in the range of \$125,000 to \$175,000. He continued in stating that this is a decent plan and will garner additional tax revenue. Councilmember Rowland inquired regarding the diagram which shows all homes being one story with a two car garage. Mr. Fletcher stated that there are two house designs, some allow for a walk-out basement and some with two stories built into the hillside. Councilmember Rowland inquired regarding how many homes would be built. Mr. Fletcher stated that he has not gotten to that stage yet. Councilmember Rowland inquired regarding the total number of units. Mr. Fletcher stated that there is the potential for 34 individual family homes. Councilmember Rowland inquired regarding whether Mr. Fletcher was requesting a curb cut onto Mill Creek Parkway. Mr. Fletcher stated that he was not requesting a curb cut onto Millcreek Parkway, only one onto North 18th Street. Councilmember Wilke inquired regarding whether it would be concrete curb and gutter. Mr. Fletcher stated that it would be concrete curb and gutter. Councilmember McGraw stated that all of the homes are designed with only two bedrooms. Mr. Fletcher stated that that large homes would not be able to be built on the property. He further stated that a bedroom could be built in the basement as long as there is egress from the basement.

City Administrator Kinser stated that if the rezoning is approved Mr. Fletcher would need to apply for a site plan.

Councilmember McGraw stated that she had heard that the sewer line going to North 18th Street is not large enough. City Engineer Jason Craft stated that the sewer line is eight inches and is large enough. Councilmember Rowland inquired regarding whether public safety vehicles could access the properties. City Administrator Kinser stated that if approved Mr. Fletcher would need to submit a site plan which would be reviewed by the Fire Department, Engineering and Zoning. Engineer Craft stated that the site plan would then go before the Planning Commission for a subdivision and plat. Councilmember Determann inquired regarding if the property is rezoned and no homes are built on it, does it revert back to the original zoning. City Attorney O'Connell stated that the property would remain rezoned until someone requests a change and then it would be rezoned again. Mr. Fletcher stated that if the property is rezoned R-5 it could be R-1, R-2 or agricultural land.

Mr. Dwight Wheelan, 1713 Garrett Avenue, advised the Council that he represents Dan Dolan Homes. He stated that he sat several years on a Planning Committee and the problems they had were consequences from things done in the past. He continued in stating that nothing hampers long range planning for a City more than spot zoning. He requested that the City reject Mr. Fletcher's request.

Ms. Pam Grabowski, 326 South 18th Street, advised the Council that she was speaking on behalf of her friend Karen Holy. She stated that when Mr. Fletcher requested rezoning the first time there was an issue with the boundary of the property. She continued in stating that the north fence line has been the boundary of Ms. Holy's property for a long time. Ms. Holy has been informed that she can seek legal help; however, that would be expensive. She further stated that the Mr. Fletcher's homes do not fit the area's master plan and 34 homes will not fit on six acres. She questioned regarding whether the homes would be of the same quality. She stated that Mr. Fletcher's homes are very small with small kitchens and once the zoning is changed he can build any kind of home there. She proceeded to state that he is tempting the Council with tax revenue; however, if there is Tax Increment Financing the tax revenue is gone for ten years. She stated that Mr. Fletcher says he will build concrete streets, but does he realize the expense. She continued in stating that Mr. Fletcher's land is surrounded by land lower than his which will cause runoff onto neighboring properties. She further stated that the current plan shows a lift station which must pump sewage 600 feet up hill. She questioned who would maintain the lift station and pay the electricity. She requested that the Council deny the rezoning request and leave the property zoned R-1.

Mr. Dan Dolan advised the Council that he is the developer of Mill Creek Crossing. He stated that in eight years he has built 30 homes at Mill Creek Crossing. He continued in stating that the City will get a fair share of people from the Thomson Prison. He further stated that as a builder he looks for consistency and wants to see it stay the same. He proceeded to state that he had no knowledge of what was happening. This can hurt people who have made an investment there. He stated that he would like to see it remain zoned R-1. Councilmember Determann inquired regarding whether all the property was zoned R-1. City Planning Intern Jacob Coupee stated that some of Mr. Dolan's property is zoned R-1 and some is zoned R-5.

Mr. Fletcher stated that there is no validity to the next door neighbor's complaints. He continued in stating that he was unaware of a boundary dispute. He stated that he does realize that Mr.

Dolan is a competitor; however, his land across the street is zoned R-5 and the land on the other side is commercial.

Ms. Grabowski stated that when Mr. Fletcher first purchased his land he informed Ms. Holy that he owned six foot of property on her side of the fence. If he presents a site plan that is when the fight will begin. She has a fence and a driveway. He has not addressed what will happen to her fence and her driveway. She can get the fence designated as a boundary line.

Councilmember Determann inquired regarding what Mr. Fletcher would need to do if the rezoning is approved. City Administrator Kinser stated that there would be a public hearing and the first reading of the ordinance. Councilmember Rowland inquired regarding whether Ms. Grabowski's comment regarding too many units on the six acres would be addressed. City Administrator Kinser stated that the plan would be reviewed further by City Planning Intern Jacob Coupee. City Planning Inter Coupee stated that the plan would go under full review. Councilmember Rowland inquired regarding whether there is land zoned R-5 across the road. City Planning Intern Jacob Coupee stated that it is zoned R-5. Councilmember Rowland stated that the City has been advised to develop on that side of the Parkway. He further stated that the plan has merit.

Councilmember O'Neill stated that Councilmember McGraw's comment about the two bedroom homes has merit. Two bedroom homes sell to single men and just married couples. He continued in stating that when this came back in June or July he walked the streets obtaining signatures on a petition from neighbors not wanting the rezoning. He further stated that there is a possible court battle because of the fence on Ms. Holy's land. The petition should be brought forward and should be addressed again. This should not be moved forward and the petition should be presented to the Planning Commission.

M/S, O'Neill-Gassman moved to table the request for rezoning until the petition can be brought forward and the adverse position issue is addressed. Proper actions have not been followed and people should be given due process. On roll call, McGraw, Gassman, Determann, O'Neill – Yes; Rowland, Wilke, Allesee – No. Motion carried.

b. Airport Zoning Ordinance – Mike Nass/ Daniel Fox, ECIA

Airport Manager Mike Nass advised the Council that there were grant funds available for an update to the Airport Zoning Ordinance. He stated that he hired ECIA to help with the process. Mr. Dan Fox, ECIA, advised the Council that development of an Iowa Airport Land Use Guide has been a priority of the Iowa DOT. He stated that he has worked with Mike to modify the model ordinance to fit the Clinton Airport. This has been presented to the Planning Commissions in both Clinton and Camanche and both recommend the zoning ordinance. There were concerns regarding wind turbines and solar; however, approval was given for small equipment. Councilmember Gassman inquired regarding the height limitation on Runway 3. Mr. Fox stated that the type of runway determines the height limitations which can vary. Airport Manager Nass stated that anything under 150' is not an issue. He further stated that Zone B is a critical overlay that reflects the approach and departure area. Councilmember Rowland inquired regarding where water towers and wind turbines fall. Airport Manager Nass stated that a water tower is approximately 200' and a wind turbine is approximately 400'. Councilmember Rowland stated that these type of structures would not be able to be built at the Railpark. Airport Manager Nass stated that it depends on where they would be built at the Railpark. Councilmember O'Neill inquired regarding whether a water tower at the Railpark would be a problem. Airport Manager Nass stated that it would not be a problem. Mayor Vulich stated that it would only be an issue if

it falls into Zone B. Airport Manager Nass stated that he has contacted Mike Kirchhoff and Zone B would not have any high structures. If someone wants to build in Zone B or D there is additional review required. Mr. Fox stated that the City of Clinton already has height overlay restrictions in place. Councilmember Gassman inquired regarding how it will affect the land around the airport. Airport Manager Nass stated that smaller buildings and warehouses would not present a problem.

M/S, Gassman-O'Neill moved to forward the Airport Zoning Ordinance to the next City Council agenda. On roll call, carried unanimously.

- c. Zoning Ordinance Amendment: Residential Uses on the First Floor in Central Business District – Jacob Coupee

This item was removed requiring additional documents in order to move forward.

- 2. Public Works and Parks and Recreation Reorganization Proposal – Jessica Kinser

City Administrator Kinser advised the Council that what was included in their packet is a proposal to create a more efficient and effective organization. She stated that in 2003 there was a Director of Public Works and a Director of Recreation. In 2008 it was decided to recreate the Public Works Department by placing Parks under Public Works and Recreation was a lone department. In 2012 the Public Works Director took an early retirement and the position was not filled. All departments under Public Works answered directly to the City Administrator. Currently there are 8 Department Heads who report to the City Administrator. She continued in stating that the City needs to create efficiencies. She further stated that she was proposing the re-creation of the Public Works Department and a Parks and Recreation Department. She proceeded to state that in Public Works eleven employees report to one individual. She recommended that Facilities fall under the Public Works Department and that a Public Works Director have experience in maintenance of buildings. She advised the Council that currently there are five trade workers in the Grounds and Facilities Department. These individuals would move to the Parks and Recreation Department and a new position of Parks Superintendent would be created. She stated that currently the Community Service Officer position is under Grounds and Facilities. This position is proposed to move to the Parks and Recreation Department 50% of the time and the other 50% would be allocated to BNS as a Nuisance Inspector. City Administrator Kinser advised the Council that there would be an increased cost to the City of \$114,000.00.

Councilmember Wilke stated that under the current organizational chart there are too many people for one person to oversee. Mayor Vulich inquired regarding where the Planning Intern would go. City Administrator Kinser stated that the Planning Intern would report to the City Administrator. Councilmember Rowland stated that he agreed with Councilmember Wilke. He continued in stating that the qualifications for the Public Works Director must be much higher. This calls for a college graduate with engineering skills. He further stated that with these qualifications the salary is too low. The salary range should be between \$120,000 and \$140,000. Mayor Vulich suggested that the City Administrator obtain job descriptions from other cities. Councilmember O'Neill stated that he agreed that there needs to be a realignment; however, before moving forward the qualifications and salary range must be determined. He continued in stating that the benefit package would be huge and he was opposed to creating additional City positions. Councilmember Wilke inquired regarding the additional \$114,000.00. City Administrator Kinser stated that the Administrative Specialist in Wastewater is currently split between multiple funds as the duties encompassed by the two superintendents she reports to oversee multiple areas. If the individual the position reports to changes to be

only Wastewater, the distribution of wages between funds would need to be removed. In total, the proposal increases only wage-related personnel costs across all City funds by \$114,000. The Road Use Tax Fund experiences the smallest increase of \$1,932, while the General Fund experiences the largest increase at \$37,085. A significant portion of the General Fund increase is due to reallocating 100 percent of the Community Service Officer's time to the General Fund.

Mayor Vulich inquired regarding hiring a Public Works Director at \$83,000. City Administrator Kinser stated that the person potentially would start at \$83,000 and move to the higher step of \$93,000 in line with the Police Chief, Fire Chief and Finance Director.

Councilmember Rowland inquired regarding the possibility of reducing the number of people reporting to the City Administrator by placing Transit, Streets, Solid Waste and Facilities under one person and put Grounds with Recreation under one person. City Administrator Kinser stated that there would need to be a supervisory position in Solid Waste.

M/S, O'Neill-Allesee moved to postpone the Public Works and Parks and Recreation Reorganization Proposal to February 24, 2015 in order for the City Administrator to obtain the necessary information from other cities. On roll call, carried unanimously.

3. Mayor & Council Member Updates

Councilmember O'Neill advised that he would hold a Public Forum on Saturday, January 18, 2015 at the Ericksen Center from 9:30 AM to 11:30 AM.

Councilmember McGraw stated that she and Councilmember Allesee had attended the celebration at the Bickelhaupt Arboretum.

Councilmember Determann stated that Transportation Day in Des Moines would be January 28, 2015. It begins at 8:30 AM with an address by the Governor.

Respectfully Submitted,

Pat Van Loo
City Clerk