

The City Council of the City of Anamosa met in a Special Session this October 6, 2010 in the Meeting Room at the Anamosa Library at 6:00 p.m. with Cody Shaffer, Bill Feldmann, Chuck Smith, Andy Bowers, Brady Reynolds and Mike Dearborn present. Absent: None. Mayor Dale Barnes presided. Also present were Alan Johnson, City Administrator; Tammy Coons, City Clerk; Adrian Knuth, City Attorney and Bob Simonson, Police Chief. Guests Present - Addressing the Council: Brian Nye, Interim Superintendent, Anamosa Community Schools, Lynn Roling and Julie Vonmuenster. Mayor Dale Barnes called the special meeting to order at 6:00 p.m. with a quorum present.

Resolution Setting Public Hearing to Review Application for State Revolving Loan Fund and Make Available the Environmental Document and Facility Plan for WWTP Flood Mitigation Project

Motion by Feldmann, second by Shaffer to approve **Resolution 2010-56** setting public hearing to review an application for State Revolving Loan Fund (SRF) loan from the Iowa Department of Natural Resources and to make available the environmental information document and City's facility plan for November 8, 2010 at 6:00 p.m. at the Anamosa Library. Roll Vote. All Ayes. Motion Carried.

Presentation by Brian Nye, Anamosa School Superintendent Regarding Proposed Plan for Addition to Anamosa High School

Brian Nye, Interim Anamosa School Superintendent addressed the Council reviewing the history of the special exception permit, the previous denial by the Zoning Board of Adjustment and the recent Administrative Law Judge's decision. Brian said he wanted to state clearly that there are no projects on the design phase at the High School, but we may very well, in all likelihood be proposing projects at the High School at some time in the future. The timeline is unsure at this time. He stated that the School would like the special use permit in place so that they do not spend a bunch of money on design and then get delayed waiting for a special use permit. Several things could be added, such as classrooms, athletic facilities, parking areas, an auditorium or other areas to be determined to be needed at that time. The auditorium is of specific interest, as the construction of the new middle school will likely make the current auditorium at the West Middle unavailable. We would be an unusual 3A school to not have an auditorium. A large private donation was made for construction of an auditorium, at the high school at some future date and other funding sources will have to be explored before a detailed project is presented. Brian stated that he has read that area residents have concerns regarding specifics of an addition to the high school, as proposed a year ago. He stated that proposal is off the table right now. Brian reviewed the previous concerns from the area property owners, such as added traffic to area, more on street parking, additional water run off, decreased property values and a change possibly in the view that a person might see out of their home.

Brian stated that there are two distinct issues at this time. The first issue is the School is required to apply for a special use permit to add on to the building. The Zoning Board of Adjustment is the public body that can grant this permit. Brian stated that Judge ruled that if the school is building an addition for the education of children, then the Zoning Board of Adjustment must grant the permit. The Zoning Board of Adjustment cannot consider the details of the project in their decision, only whether the school is building additional school facilities. The second issue is what the project design will be. Public comment would be appropriate when a project is proposed and those comments would be directed to the School Board. Neither the Zoning Board of Adjustment nor the City Council have the ability to take any action to control the School's building plans, as long as we comply with all local and state building codes. The School does want to be a good neighbor to the area residents.

Public Forum Regarding Proposed Plan for Anamosa High School Addition

Mayor reviewed the rules for speaking at this public forum.

Lynn Roling of 1004 Maquoketa Street addressed the Council stating that the reason most of people were coming to this meeting was because they wanted to hear more details about it, which he felt the new Superintendent answered when he said that there are no permanent building plans in process right now. Lynn stated they are aware that their concerns will be need to be addressed by the School Board. Lynn apologized for bringing this topic up at the last Council meeting the way he did. He is now aware of the proper procedure.

Julie Vonmuenster of 16027 Hwy 64E, county resident, stated she wanted to clarify that a previous statement made by a member of the City Council was that the public had already approved the building of an auditorium. Julie stated that the public approved the extension of the local option tax for improvements, remodeling, repairs, furnish and equip the high school building and improve the sight. The measure did not

specifically state that the funds would be used to build an auditorium, nor was it explained to the public stating that.

Some Council discussion followed.

City Position and Representative Presenting to the Zoning Board of Adjustment for Special Exception

Council discussion ensued on the Judge's ruling and the possibility of the City sending a City representative to present the City's position to the Zoning Board of Adjustment on the special exception permit.

Adrian Knuth stated that the issue before the Council now is does the Council wish to see plans, so that the Council can assess the balancing. If the Council does not want to make issue with that, the School applies for the permit and under the Judge's ruling, if the City doesn't endorse an issue to bring before the Zoning Board Adjustment, then the School District's request for a "blanket" exception passes under the framework of this decision, which hasn't been appealed, so is now the law of the case.

Alan Johnson, City Administrator stated that everyone needs to understand that this exception is for a "use" and it doesn't mean that the School can ignore any provision of the City's Zoning Regulations. The School still needs to apply for a building permit and follow and meet the site plan regulations.

Motion by Feldmann, second by Bowers to state that the City has no issues or objections to the approval of a "blanket" special exception use permit without a specific plan on the table. All Ayes. Motion Carried.

Adjournment

Motion by Shaffer, second by Dearborn to adjourn at 6:36 p.m. All Ayes. Motion Carried.

Dale Barnes, Mayor

ATTEST:

Tammy Coons, City Clerk