

## WAPELLO COUNTY BOARD PROCEEDINGS

DATE: 2-3-2015

TIME: 9:30 a.m.

PRESENT: Steve Siegel, Chair; Greg Kenning, Vice Chair; Jerry Parker, Supervisor; Paul Culver, IT; Wanda Moeller, Courier; Gayla Harrison, Attorney; Jennifer Vitko, CPC; Rick Johnson, Gina Throckmorton & Curt Meeks, River Hills CHC; Les Thostenson, Realtor; Lisa Kent, Recorder; Robin Hart, Deputy Recorder; Gary Granneman; Jeanne Callas; Dan Mulcahy; Amber Payne, Growing Wapello Together; Mark Miller, Sheriff; Kurt Baker, Conservation; Jeff Krug, Altorfer CAT; Kelly Spurgeon, Auditor; Pam Norton, Auditor's Clerk.

Chair Siegel opened the meeting. Vice Chair Kenning moved, seconded by Supervisor Parker to approve the agenda. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to approve the minutes of January 27, 2015 Board meeting. Motion carried.

**PUBLIC HEARING ON PROPOSED ZONING CHANGE ON HUTCHINSON AVENUE FROM C-2 TO R-1.** Chair Siegel opened the public hearing for public comments. Gayla Harrison, attorney for River Hills, addressed the Board, explaining that River Hills wasn't able to get the funding to build their clinic. She felt the Board had no real basis for changing the zoning from C-2 to R-1 since the Board didn't have a revision clause in their zoning ordinance and said River Hills might have to challenge this before the courts.

Les Thostenson, realtor, said he was hired by River Hills to sell the property. He said the property is almost 12 acres of land, very peaceful and can understand why the neighbors wouldn't want it to go back to commercial. He said it makes it more difficult to market it and says zoning is a serious thing when decisions are made. He said, as seen in the past, it can have an effect on what they can do in the county.

Dan Mulcahy said he owns east of River Hills and the road isn't capable of handling trucks. He figured the supervisors were trying to protect their interests and need to make it R-1 to protect what might come in there.

Jean Callas said they do not want to have any kind of business over there because of all the traffic.

Gary Granneman said he doesn't know what happened to the financing but clearly a mistake was made, and now they're asking them to solve their problem when they clearly overspent on it. He said as property owners they questioned the judgment of putting a facility like that out there, but now they're just opening it up to whatever may go in there. He said people silent before now are very much opposed to C-2 zoning.

Supervisor Parker said he had a petition signed by 11 property owners. He said the Board didn't put a revision clause because of trust, they trusted Rick when he said they were going to put a medical clinic there. When Rick came to my office a couple of weeks ago, he said the Board would have veto power. He said now he doesn't know who to trust because he doesn't know who's going in there.

Supervisor Parker asked Rick if he had a resolution from River Hills Board for him to take action to come here and do this. Rick said no, not today. Supervisor Parker said you're here representing yourself, your board didn't take any action for you to come here and do this. Rick said he was here representing River Hills.

Vice Chair Kenning said when the clinic was viable, this was the least invasive thing the property owners could expect. He said from what we're hearing and seeing, we don't have any options but to go back to R-1.

Chair Siegel said Mr. Mulcahy raised a good comment about the condition of the road. He said the only reason they allowed this in the first place, they thought it would be valuable to the residents and to those who live and work there. He said there's 11+ acres, so you could get at least 20 lots out there. The neighbors reluctantly agreed because they saw it as good for the community.

Rick Johnson said they bought that property at commercial rates, not residential, and he thinks they'll have a hard time selling it.

Chair Siegel said he was on the board and there's no malice here but he thinks those would be good residential lots.

Vice Chair Kenning asked Engineer Moore if anyone could build a condo on that property if zoned R-1. Engineer Moore said it would take a variance to allow any multi-

family housing and it would have to go before the Board of Adjustment. Vice Chair Kenning said that might solve it for everybody to install some condo living in Ottumwa.

Hearing no further comments, Vice Chair Kenning moved to close the public hearing, seconded by Supervisor Parker. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to approve Resolution #9-2015 to approve a zoning change on Hutchinson Avenue from C-2 to R-1. Motion carried.

Amber Payne, Growing Wapello Together, spoke to the Board regarding the community services office and informed them of upcoming action plan meetings on February 6 and 25 from 9:00 to 2:00 p.m. at Hotel Ottumwa.

Vice Chair Kenning moved, seconded by Chair Siegel to approve bids for three new motor graders, two Caterpillar at \$675,894 and one John Deere at \$690,684. Passed on a 2 to 1 vote.

Supervisor Parker moved, seconded by Vice Chair Kenning to approve Resolution #6-2015 abatement of public health and safety hazards declaring property at 14038 85th Avenue a public health and safety hazard. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to approve a right of way services agreement with JCG Land Services, Inc. to perform acquisition services for Rock Bluff Road project. Motion carried.

Vice Chair Kenning moved, seconded by Supervisor Parker to approve Resolution #8-2015 to cancel a check issued in the previous fiscal year. Motion carried.

Supervisor Parker moved, seconded by Vice Chair Kenning to acknowledge a change of ownership for Elliott Oil Company, Hwy 63 South BP. Motion carried.

Vice Chair Kenning moved, seconded by Supervisor Parker to approve Resolution #7-2015 Tall Timber Estates Subdivision. Motion carried.

Rich Gaumer, Chair of the Compensation Board, addressed the Board with their recommended increase for elected officials salaries for fiscal year 7/1/15 to 6/30/16.

Vice Chair Kenning moved, seconded by Chair Siegel to reduce the Comp Board's recommendation by 42.8% making it a 2.0% increase with a 1.0% increase for the Board of Supervisors. Motion carried on a 2 to 1 vote.

Vice Chair Kenning moved, seconded by Supervisor Parker to approve a request to hire Tamara Weltch as a Correctional Officer I, hire date 2/16/15 at an hourly rate of \$15.15. Motion carried.

County claims in the amount of \$267,558.51 and payroll in the amount of \$408,140.87 were approved.

10:50 a.m. Supervisor Parker moved, seconded by Vice Chair Kenning to adjourn. Motion carried.

ATTEST:

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Kelly Spurgeon  
Wapello County Auditor

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Steve Siegel, Chair  
Board of Supervisors