

PLANNING AND ZONING COMMISSION MONTHLY MEETING

Council Chambers

9/25/18 6:00 P.M.

Present: Ron Welder, Lyle Brown, Joel Amandus, Neal Boeding, Larry Wright, Corey Fraise,
Council Liaison Kevin Rink

Absent: Ed Delaney

Staff: Doug Krogmeier, Emily Britton

Visitors:

Ron Welder called the meeting to order at 6:00 P.M. with six members present.

ACTION ON MINUTES

The minutes from August 28, 2018 were approved on a motion by Brown, seconded by Amandus.

NON-AGENDA ITEMS

None

Review of Final Plat for Iowa Department of Corrections for property within 2 miles of city limits.

Staff reviewed report.

Brown made a motion, seconded by Boeding, to recommend Council approve the Final Plat for the Iowa Department of Corrections for property within 2 miles of city limits.

Vote: 6-yes, 0-no

Code Review: Review and update

Larry Wright discussed the 2012 International Zoning Code (IZC) and how it could be a useful reference while updating and making changes to the current city zoning code. He explained that many of the definitions are simplified and concise and gave an overview of each section. In review of the sections he pointed out some similarities and differences with our current city zoning code and offered suggestions where improvements can be made. One improvement he mentioned was in reference to IZC section 104.7 which states:

Liability. The code official, or designee, charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties described in this code, shall not be personally liable for any damage that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the code official or employee because such act or omission performed by the code official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the enforcement agency shall be defended by the jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by the jurisdiction.

This section of code addresses the legal liability of board and commission members for the decisions they make and Wright believed it would be beneficial to have something similar in our city code. The IZC also outlines criteria for variances similar to our current finding of fact. After some discussion the commission decided they would each like a copy of the International Zoning Code to review and use as a reference.

Krogmeier said he will look into getting a copy for each commission member. Welder suggested postponing further code review until after they are all able to review the International Zoning Code.

Old Business

None

Other/New Business

None

Wright moved, seconded by Brown, to adjourn.

Motion was passed unanimously. The meeting adjourned at 6:37 P.M.

Ron Welder, Chairman of Planning and Zoning Commission