

Amana Colonies Land Use District

Minutes of the Regular Board of Trustees Meeting

December 14, 2020 – 7:00 p.m.

Via Zoom App

An in-person meeting is not possible due to the ongoing Covid-19 pandemic and the small size of the ACLUD meeting room, which does not provide enough room to maintain social distance between those attending.

- I. Call Meeting to Order. BOT President Lynn Trumpold called the meeting to order at 7:00 p.m. Present: L. Trumpold, Bruce Trumpold, Andrew Conquest, Ithiel Catiri, Cherie Hansen-Rieskamp, Joe Parcell, Laura Kay Sheely, and Administrator Elly Hoehnle. Also present Iowa County Engineer Nick Amelon, ACCVB Executive Director David Rettig, and several members of the public.
- II. Set Agenda. Motion by B. Trumpold, second by Conquest to set the agenda as presented. Motion carried 7-0.
- III. Discussion with Iowa County Engineer Nick Amelon. Amelon provided a history of the sidewalk replacements in Middle and the attempted replacements in Homestead. The Iowa County Attorney attended an Iowa County Board of Supervisors and indicated that if someone fell on a sidewalk in the Amana Colonies, the landowner, ACLUD or the County could be liable. Iowa County has ordinance, but part of the Iowa Code negates that, as residents must apply to have their sidewalks to be accepted into the sidewalk system. No record in Amana Colonies of any type of application system. Checked into using secondary roads funds to install sidewalks, but not able to as that would create liability for the County. Also, an argument can be made that the County would have to maintain the sidewalk. Can we agree that we want good sidewalks in the Amana Colonies? If so, what can we do? No ACLUD mechanism to enforce maintenance of sidewalks now. Iowa County is unwilling to require homeowners to maintain sidewalks as there appears to be a conflict in Iowa Code. Upfront cost seems to be the biggest issue, along with being “told” they must fix their sidewalk. Some Homestead property owners elected to remove their sidewalk. Can the Board of Trustees require sidewalks in the Land Use District? If so, are we talking only about front sidewalks or the back, side, house-to-house well? What is ACLUD’s liability now and would we be “volunteering” Amana for more liability? Amelon believes most sidewalks are on county property (right-of-way). There are lots of old sidewalks, with tripping hazards, now. If somebody falls, they may be able to go after everybody. Good for the community to come together and work toward better sidewalks. Possible community outreach. The Administrator will have a conversation with the Land Use District Attorney and report back at the January meeting. Amelon will attend the January meeting for further discussion.
- IV. Presentation from David Rettig, Executive Director of the Amana Colonies Convention and Visitors Bureau. Rettig provided a history of the hotel/motel taxes paid in and received by the Amana Colonies Land Use District. Agreement between ACLUD and ACCVB is 75% to ACCVB and 25% to ACLUD. Funds received by the ACCVB are used to market the organization, with 10% of the amount received is targeted for non-profit organizations. To be transparent, Rettig will provide a full record of how the money has been spent. Trustees requested that they be provided an annual report.
- V. Board of Trustees Work Session: Goals.
 - What should the Amana Colonies Land Use District be doing in the Amana Colonies? Iowa County has no zoning restrictions, so ACLUD is sometimes seen as the bad guy, as a hinderance to people doing things to their homes. How can ACLUD be better perceived as a resource. Include information in electric bill: positive things ACLUD has done, broadcast the positive things, e.g., Historic Preservation Grant Program, help someone in need, etc.
 - Extend the grant program? (make wider) Help homeowners pay deductible from storm damage, etc.
 - Set an agenda each year with what Trustees want to do.
 - Trustees should come to January meeting with proposed goals for next 12 months and next 24 months.

- VI. Review/Approve:
- a. Minutes of Public Input Session. Motion by Sheely, second by Conquest to approve as presented. Motion carried 6-0 with Catiri abstaining.
 - b. November meeting minutes. Motion by Conquest, second by B. Trumpold to approve as presented. Motion carried 6-0 with Catiri abstaining.
- VII. Welcome visitors and allow citizens to speak on items not on the agenda. No comments.
- VIII. Review/Approve December disbursements. The Administrator noted that the payroll line item should be \$1,162.21, which changes the total to \$15,375.33. Motion to approve as amended by Conquest, second by Catiri. Motion carried 7-0.
- IX. Review/Approve November Treasurer's Report. Motion by Parcell, second by Catiri. Motion carried 7-0.
- X. Other Business
- a. Discussion/Action: Allocation of Hotel/Motel tax money received by the Land Use District. All questions answered in the presentation by David Rettig.
 - b. Discussion/Action: Review comments received at November Public Input Session and discuss further action. Discussion about Section 31.36.060.C.4 and enforcing the ordinance section as written. Businesses are not allowed to leave merchandise in their yard area permanently. Joe will provide a proposal for a special permit for businesses selling live plants. Motion by Conquest, second by Catiri, directing the Administrator to enforce the ordinance as written. Motion carried 7-0.
 - c. Discussion/Action: Changes to HP Grant program language. Motion by Conquest, second by Parcell, to approve the changes as presented. Motion carried 7-0.
 - d. Discussion/Action: Businesses blocking parking spaces. There are a few businesses using one or more parking spaces for something other than parking. Some history of businesses being allowed to open without adequate parking, so seems like a double standard. Need to have consistent message-either have adequate parking or we quit looking. In the past, businesses have been able to lease parking spaces from other businesses. Trustees want to promote businesses and at the same time protect and preserve historic structures. Is there a space where additional parking could be developed? Need to be realistic about what happens when large numbers of people come to town. Trustees reached consensus that at this time the Administrator should not contact businesses. If this is a bigger issue in the future, the Administrator will bring this matter back before the Trustees.
 - e. Discussion/Action: Amendments to ordinances concerning fences in Historic Districts. First proposed change is to Section 31.02.050.A.2: "Fences shall be between 38 and 54 inches in height." Section 31.02.050.A.8.a. for HP-R districts need more information added. The Administrator will bring that language to the Trustees in January. Third change is to delete Section 31.02.050.A.8.c.
Question: is the intent to preserve historic fence options or to promote an ideal view of the Amana Colonies (aesthetics)? (is this a planned community?) To now, the Trustees have limited fences to the traditional 3 or 4 board fences or specific picket fences, limiting fencing options. Now looking at broadening the allowed fences, based on fences historically used in the Amana Colonies. There are currently discrepancies in the ordinance. This matter will be revisited at the January meeting.
 - f. Discussion/Action: Possible update to ACOS-NA Principal Permitted Uses. The Amana Society has their sawmill in an ACOS-NA district and this is a use that is not specifically permitted. Discussion of adding a principal permitted use versus rezoning this property to HP-I which includes a provision to allow "*any manufacturing or industrial use or structure that the Board of Trustees and Historic Preservation Commission consider to be historically and traditionally representative of the pre-1932 Amana Villages.*" What is the best long-term option? The Administrator will contact the Amana Society regarding a possible rezoning.

- XI. Administrator's Report.
- a. The Administrator will contact Jason Miller regarding the basketball court apparently installed in his back yard, currently being used as a promotional space, and regarding the home occupation permit required.
 - b. The Administrator sent a letter to the Ehltz regarding the door and the window issues on the farm building in the front yard. They are not as required in the permit.
 - c. Basement egress windows: Trustees would like to see the standard inserts "camouflaged"; covered or not seen from ground level. (covered with grate or wood plank tops?) Should be at grade level.
 - d. Venard violation: Motion by Sheely to direct the Administrator to send a notice of violation to the Venards outlining the violation, they must put junk vehicles in a storage facility or dispose of the vehicles within 90 calendar days; if violation not corrected, they will be fined \$50 per day until they are compliant; if compliance is not forthcoming, the Land Use District will assess the fine and pursue all legal options available. Second by Hansen-Rieskamp. Motion carried 5-1-1, with Parcell voting nay and Conquest abstaining.
- XII. President's Report. No report.
- XIII. Adjourn. Motion by Catiri to adjourn. Second by Conquest. The meeting was adjourned at 9:50 p.m.

Lynn Trumpold, ACLUD BOT President

Eleanor S. Hoehnle, Administrator

The Amana Colonies Land Use District Board of Trustees was established and its members duly elected in accordance with the provisions of Chapter 303, Code of Iowa, subsections 303.41 through 303.68. All activities of the Board of Trustees in exercising its corporate authority including the election of officers, meetings and public hearings, expenditure of funds, appointment of Boards and employees are public records, and are in accordance with the provisions of Chapter 303, Code of Iowa. All Amana Colonies Land Use District Board of Trustees meetings are open to the public and the public is encouraged to attend the meetings.