

MINUTES OF THE SPECIAL MEETING OF THE ANKENY CITY COUNCIL

Tuesday, May 23, 2017 – 5:30 PM

Ankeny City Hall - City Council Chambers

410 West First Street, Ankeny, Iowa

Gary Lorenz, Mayor

Mark Holm, Mayor Pro tem

Council Members: Bobbi Bentz, Jim McKenna, Wade Steenhoek, Kerry Walter-Ashby

Mayor Lorenz called the meeting to order at 5:30 p.m. Council member Bentz was absent. City Manager, David Jones and City Attorney Amy Beattie were present.

A. APPROVAL OF AGENDA:

- Approval of the May 23, 2017 Agenda:

ACTION # A1-1. Walter-Ashby made the motion to approve and accept the May 23, 2017 agenda, with amendment adding a public forum to the agenda on the usage of fireworks in the City of Ankeny, seconded by Holm.

ROLL CALL

2017-0523.A1-1 YES 4 NO 0

B. PUBLIC FORUM:

- Usage of Fireworks in the City of Ankeny:** The following individuals spoke in opposition to the use of fireworks in the City of Ankeny: Roger Routh, 1162 SW Kenworthy; Leonard Poels, 1306 SE InnsbruckDr.; and Chris Shivers, 906 NW Abbie Dr.

The following individuals spoke in favor of the use of fireworks in the City of Ankeny: Mike Ware, 1001 Hogan Dr.; Alvin John Aldrich, 1402 NW Beechwood St.; Ronald Cronk, 3201 NW Boulder Brook Place; and Bryan Kraber, Iowa Fireworks Company, 678 46th Street, Des Moines.

C. PUBLIC HEARING(S):

- PH2017-35:** Proposed amendment to provisions of the zoning Ordinance of the City of Ankeny, Iowa, regarding regulations associated with fireworks sales.

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 16th day of May, 2017.

Correspondence was received from Debbi Cooper, 817 SE Peterson Drive, dated May 22, 2017 and will be received and filed at the next council meeting.

Eric Jensen, Planning and Building Director, reported that following discussion that took place at the May 15th council work session, revisions were made to the proposed zoning Ordinance 1917, an ordinance that allows for the sale of fireworks in the City's M2 zoning districts subject to approval of a special use permit. Those revisions consisted of adding the sale of Second-class Consumer Fireworks as defined in Iowa Code Section 100.19(1)(e) and adding another condition to "*Fireworks Retail Sales Facility Required Conditions*" which states, an operator of a facility will be required to post in plain clear

view a sign that states it is unlawful to discharge fireworks in the Ankeny City limits at any time, except between 9:00 a.m. – 11:00 pm on July 4th.

Bryan Kraber, Iowa Fireworks Company, 678 46th Street, Des Moines, stated Iowa Fire Works Company does not intend to have a facility within the Ankeny City limits at this time but at such time their company does decide to have a facility in Ankeny they do pride themselves on reaching out to the City Councils and City officials to introduce their company and business model and talk about the rules, regulations and safety of fireworks.

Kenneth Tapper, 4008 Tulip Lane, addressed the council opposing the use of fireworks in Ankeny.

Mike Ware, 1001 Hogan Dr., inquired whether the industrial areas can handle the traffic volume of retail sales.

ACTION #C1-1. Walter-Ashby made the motion to close Public Hearing 2017-35, seconded by Steenhoek.

ROLL CALL

2017-0523.C1-1 YES 4 NO 0

D. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. **Ord 1917:** An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions of the Zoning Ordinance regarding fireworks sales. (PH 2017-35)

Council member Holm stated he would be voting against first consideration of this Ordinance as he believes the proposed area wherein fireworks could be sold could raise traffic issues.

ACTION #D1-1. Steenhoek made the motion to accept first consideration of ORDINANCE 1917, seconded by Walter-Ashby.

ROLL CALL

2017-0523.C1-1 YES 3 NO 1 (Holm)

E. ADJOURNMENT

- There being no further business the meeting was adjourned at 6:00 p.m.

Debra M. Arend, Deputy City Clerk

Gary Lorenz, Mayor

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