

July 15, 1998

The Zoning Commission of the City of Buffalo, IA, met on Wednesday, July 15, 1998, 6:00, at City Hall to consider a request from Blackhawk Fleet, Inc. to rezone an area west of Utah Avenue from "A" Country Home to "H" Heavy Industry for an expansion of the barge terminal operations.

Commission members present were Ray Farley, Daryl Buffington, Dora Finkbeiner, Chet Kelly, Ray Martinez, Sr., and Eldon Mosier. There is one vacancy on the Commission.

Also present were Dwain Bollman, Public Works Director; William T. McCullough, City Attorney; Monique Gorsline and Jeff Goldstein who were representing Blackhawk Fleet; and interested citizens Allyn Wiese, Earl Solbrig, Mike Fraser, Penelope Flatman and Carol Bernauer, City Clerk.

The area involved is as follows:

Lots 10 and 11 of James Van Fossens subdivision of a part of the Southeast quarter of Section 13, Township 77 North, Range 2 East of the 5th P.M., Scott County, Iowa. The address of the property is 10990 S. Utah Avenue Buffalo, IA. 52728. Title holder is listed as Katherine E. Lupton.

Lot 14 of auditors plat of James W. Van Fossens subdivision, being a part of the S.E. 1/4 of section 13 and part of lot 1 in fractional section 24, Township 77 North, Range 2 East of the 5th P.M. which plat is recorded in Book 42 of Misc. Records at the office at Scott County Court House. The address of the property is 10950 Utah Avenue, Buffalo, IA, 52728. The title holder is listed as Earl R. Solbrig and Penelope A. Flatman.

Lot 15 of Auditors plat of James W. Van Fossens subdivision being a part of the Southeast quarter of Section 13 and part of lot 1 in fractional section 24, Township 77 North, Range 2 East of the 5th P.M. in Scott County, IA. The title holder is listed as Allyn M. Wiese and Jane Stout-Wiese.

The property owners were questioned if they had any objections to the rezoning. Mr. Wiese is concerned whether he should continue to improve the property if he will lose it in the future. He explained to the Commission the improvements he had mentioned. Mr. Solbrig and Ms. Flatman said they did not want to lose their home and did not want to have to move elsewhere. They like their home where it is now. The owners were asked if they have any problems with the Blackhawk Fleet Co. owning property near them now. They said not really, they get along pretty good with them now. Their main concern was losing their homes if the area was rezoned. Mr. Farley said they will not be forced out of their homes, and in fact, the value of their homes could possibly be increased. Ms. Gorslein said Blackhawk has no intention of forcing anyone from their homes, they simply want the area to be zoned properly for their barge business. After some more discussion, the motion to approve the rezoning to the City Council was made by Chet Kelly and seconded by Ray Martinez, Sr. Roll call vote to recommend rezoning was as follows: Voting yes were Farley, Finkbeiner, Kelly, Martinez and Mosier. Voting no, Buffington. Motion carried. The City Council will have this on their August 03 agenda.

Motion made by Chet Kelly and Eldon Mosier to adjourn the meeting at 6:22 p.m. All ayes. Motion carried.

Signed: _____
Ray Farley, Chairman, Zoning Comm.

Attest: Carol Bernauer
Carol Bernauer, City Clerk, Buffalo, IA