



**PLANNING & ZONING MEETING
Minutes of July 6, 2021**

Chairperson Nick Reitman opened the regular meeting at 7:00 p.m. on the above date, with the Pledge of Allegiance and the following members answering roll call:

Present: Nick Reitman, Chair Sonny Markus Randy Nehus
 Michele Nelson Derek Moore

Absent: Sam Ruebusch

Also Present: Stephanie Tarter, Administrative Clerk Carol Hofstetter, Zoning Administrator
 Andy Schabell, Mayor Keith Hammann, Fire Marshall

PUBLIC HEARING:

To hear and gather evidence and public comment regarding the Planning Commission's proposal to adopt the elements of the City's Comprehensive Plan.

Mr. Reitman opened the Public Hearing at 7:01.

Wendy Moeller gave a quick overview and asked for any questions. There was some discussion about Moreland Dr zoning on the Future Land Use map and whether it should be changed from residential to commercial. The board agreed it should stay as is for now until a changed is warranted.

Mr. Reitman closed the Public Hearing at 7:04



APPROVAL OF MINUTES – June 15, 2021

MOTION: Michele Nelson made a motion to approve the minutes of June 15, 2021, seconded by Randy Nehus. All in favor, the motion passed 5-0-0.

VISITORS AND GUESTS – None

NEW BUSINESS

Comprehensive Plan:

MOTION: Sonny Markus made a motion to accept the Comprehensive Plan 2021 as submitted, barring any changes from Council, seconded by Randy Nehus. All in favor, the motion passed 5-0-0.

UNFINISHED BUSINESS

Blue Roo Carwash:

Jeff Brown, Palisade Dr: He wanted to follow up on a video he sent in capturing the noise level near his home. The video was received but Ms. Hofstetter was waiting on some decibel readings, and she will share the video with the board members. Mr. Reitman assured him the city is looking into solutions to buffer the sound. Depending on the results of the sound readings will determine who will if the owner would be responsible for the solution or not. Mayor Schabell read off the results from the latest reading and it was 75.9 decibels which is under the 80 decibels stated in the City's code of ordinance. With that reading, the business owner is currently in compliance with the city's ordinance.

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Mr. Brown did not agree with the reading because weather and wind have a significant impact on the sound and he stressed again that something needed to be done to fix the issue.

Dan Walwark, Rimrock Ln: He suggested the board members come live in Arcadia and they will better understand the noise level and consistency of the noise. He was also disappointed in the response from the board and feels as if they don't truly believe there is an issue with the noise. Readings mean nothing when you have to deal with the noise all day long.

Mr. Reitman has been back in Arcadia and has heard the noise and they are taking this seriously, but they want to find a permanent solution that works and all of the board members echoed the sentiment of believe the residents about the issue. He went on to say he does not believe the reading because a normal conversation falls into the 70-decibel range. The decibel levels are referenced because that is the confines in which the city has to work. If the business was over the allowable decibel levels, then the city could make the owner find a solution to be in compliance, but since he is not out of compliance the city has to find a different solution.

June Braun, 7253 Rimrock Ln: She believes the constancy of the noise is a health issue as you are not able to sleep and is stressful to not be able to have a conversation with neighbors because of the noise. Something needs to be done and soon before some people begin to move out. She went on to state, she understands there will be noise as they live so close to 27, but never dreamed it would be like this.

Pam Ford, 7286 Rimrock Ln: Is there a way to lower the sound level coming out of the blowers? They are silencers that can be put on the blowers and the city is waiting for the information from the owner of the business. They do not have a problem with the business itself just the noise from the blowers because it sounds like a jet engine at takeoff. Ms. Hofstetter will continue to push the subject with the owner to get the information on the silencers.

Decibel Levels: The board reviewed the city's ordinance in regards to noise level. It was pointed out the topography of the area makes it difficult to have one set number that would work for every community. The city does not have to have a number listed but keep say "whatever causes a nuisance to the surrounding area. The city can stop someone from playing a phonograph too loud between the hours of 10:00pm and 7:00am, but they can't stop a business from using their blowers all through the night and that should be changed.

Keith Hammann pointed out a flaw in the current ordinance because it states it can't be at 80 decibels for longer than 2 hours, but if it runs for 45 minutes straight and then shuts off, that 2-hour timer restarts. There was a brief discussion about where the readings were done at the car wash to give the reading they got.

Mr. Brown stated this is bigger than just this one business. As the city continues to grow, they need to figure out a way to integrate commercial with residential. He wants the city to grow and more businesses to come, but not at the price they have had to pay with the noise levels.

Mr. Nehus stated they area all in agreeance that there is an issue, but they are a government and they have to work through the proper channels to get to an issue but the city will make it right. It was asked if any decibel readings have been taken at W4, but they have not.

INTERNAL BUSINESS

Council Report: Mayor Schabell reported they met this past week and the Blue Roo Carwash was discussed and he encouraged council members to drive by and have a listen. In addition to the silencers, they are also waiting on information from CT Consultants on possible solutions. There was a discussion on sound walls and Councilman Graus is looking into cost and possible surplus. There

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was discussion on whether the owner would be willing to go in half on a solution, but if he is in compliance the city cannot force him too. They did discuss a new electric sign and there may be a changed needed to the sign ordinances.

Correspondence: Ms. Hofstetter mentioned, now that the Comprehensive Plan has moved to council for adoption, they will move back into Zoning and Sign ordinance changes.

ADJOURNMENT

MOTION: Derek Moore made a motion to adjourn, seconded by Randy Nehus. All in favor, the motion passed 6-0-0. Meeting adjourned at 7:40 p.m.

Attested to and submitted by:



Jan Johannemann, City Clerk



Nick Reitman, Chair

Dated 7/20/2021

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