

September 14, 2010

Proceedings of the City Council of University Heights, Iowa, subject to approval by the Council at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

PUBLIC HEARING ON PROPOSED ZONING AMENDMENT

Mayor From called the public hearing to order at 7:00 pm for the purpose to discuss proposed amendments to the City’s Zoning Ordinance (No. 79). Two proposals have been submitted to the Council; both concern property owned by St. Andrew Presbyterian Church and property adjacent to the east, generally at the northwest corner of Melrose Avenue and Sunset Street. One proposal creates a Multiple-Family Commercial Zone that would establish a procedure for the property to be redeveloped as a mixed-use commercial and residential development comprising no more than 2 buildings, 95 dwelling units, and 20,000 square feet of commercial space, among other limitations and restrictions.

The other proposal creates a Residential Redevelopment Planned Unit Development that would establish a procedure for the property to be redeveloped as a multiple-family residential development comprising no more than 2 buildings, 74 dwelling units, and no commercial space, among other limitations and restrictions.

Present: Mayor From. Council Members Mike Haverkamp, Stan Laverman, Jim Lane, Brennan McGrath, and Pat Yeggy. Staff present: Engineer Bilskemper, Attorney Ballard, Police Chief Ron Fort, Treasurer Kimura, and Clerk Anderson. Also attending: 54 other persons (see attached sign-in sheets).

29 members of the public spoke for or against the proposal as follows:

Jeff Edberg–337 Highland Drive–Against
Pat Bauer–338 Koser Avenue–Against
Lawrence Fritts–114 Highland Drive–Against
Naser Payvandi–1491 Grand Avenue–Against
Linda Fincham–1475 Grand Avenue–Against
Yon Schoenmaker–27 Leamer Court–Against
Nancy Barnes Kohout–300 Golfview Avenue–Against
Chris Luzzie–338 Koser Avenue–Against
June Braverman–349 Koser Avenue–Against
Dan Moore–220 Koser Avenue–Against
Jane Swails–333 Koser Avenue–Against
Liesa Moore–220 Koser Avenue–Against
Rob Philibert–15 Prospect Place–Against
Rosanne Hoppson–205 Golfview Avenue–Against
Doris Eckey– Highland Drive–Against

Steve Hedlund–1490 Grand Avenue–Against
Joseph Frankel–323 Koser Avenue–For
Carolyn Schnell–1409 Grand Avenue–Against
Al Leff–215 Sunset Street–Against
Greg Prickman–321 Koser Avenue–Against
Alice Haugen–1483 Grand Avenue–Against
Jerry Zimmerman–1434 Grand Avenue–Against
Sue Hettsmansperger–114 Highland Drive–Against
Mary Mathew Wilson–308 Koser Avenue–Against
Kathy Belgum–104 Sunset Street–Against
Jan Leff–215 Sunset Street–Against
Larry Wilson–308 Koser Avenue–Against
Duncan Stewart–1327 Oak Crest Avenue–Against
Carol Rajagopal–343 Koser Avenue–Against

In addition, correspondence against the Maxwell Proposal from Shirley Nelson was read by June Braverman and from James and Barbara Stehbins was read by Mary Mathew Wilson.

The mayor adjourned the public hearing at 8:57 pm

REGULAR MEETING

Mayor From called the September 2010 meeting of the University Heights City Council to order at 8:58 p.m.

Present: Mayor From. Council Members Mike Haverkamp, Stan Laverman, Jim Lane, Brennan McGrath, and Pat Yeggy. Staff present: Engineer Bilskemper, Attorney Ballard, Police Chief Ron Fort, Treasurer Kimura, and Clerk Anderson. Also attending: 54 other persons (see attached sign-in sheets).

The minutes of the August 10, 2010 council meeting and the August 24, 2010 work session were presented and approved by **unanimous consent**.

City Council Discussion and Consideration:

MOTION by McGrath to table discussion on Ordinance 180 until February 2011 council meeting. Motion died for lack of a second.

MOTION by Yeggy, seconded by Haverkamp, to approve the first reading of Ordinance No. 180.

MOTION by Laverman, seconded by Haverkamp, to amend the proposed ordinance to permit 80 dwelling units. **Carried.**

Haverkamp - Aye	McGrath - No
Lane - Aye	Yeggy - Aye
Laverman - Aye	

Council member Lane asked the developers if 80 units was acceptable to them; Kevin Monson, of Neumann Monson Architects, stated they could work with that number.

MOTION by Laverman, seconded by Lane, to amend the proposed ordinance so that no more than 55 above-ground parking spaces will be permitted for commercial and residential uses. **Carried.**

Haverkamp - Aye	McGrath - No
Lane - Aye	Yeggy - Aye
Laverman - Aye	

Attorney Ballard commented that the parking ordinance specifies that adequate parking must be provided.

MOTION by Laverman, seconded by Yeggy, to amend the proposed ordinance to require a minimum of 185 total parking spaces (above- and below-ground). **Carried.**

Haverkamp - Aye	McGrath - No
Lane - Aye	Yeggy - Aye
Laverman - Aye	

Council member McGrath commented that he enjoyed meeting with Jeff Maxwell but he was saddened about how the whole redevelopment issue was playing out. As a member of the church he is disappointed in the lack of representation from the church.

Council member Haverkamp commented that he spent a great deal of time reviewing the proposals. Haverkamp stated he reviewed the city's comprehensive plan, especially the financial considerations as University Heights has the oldest housing stock and population in Johnson County. Council member Haverkamp called the project "smart growth" and said the development would help keep University Heights financially sustainable.

Council member Yeggy stated that the city needs to maintain control over this parcel of land. No houses would need to be torn down to make room for this development. With commercial property the city can retain its independence. Property taxes have risen to the maximum levies that can be imposed. In a few years the city will to borrow just to meet everyday expenses.

Council member Lane said that he too was looking at the long-term health for the city and that this project has many of the principles of smart growth.

Council member Laverman said he was not willing to negotiate about the number of units (80) but he likes the parking changes. The ordinance will need to be approved three times, and he is willing to meet anytime for further discussion.

MOTION by Yeggy, seconded by Haverkamp, to approve the first reading of Ordinance No. 180. **Carried.**

Haverkamp - Yes	McGrath - Abstain
Lane - Yes	Yeggy - Yes
Laverman - Yes	

MOTION by McGrath, seconded by Haverkamp, to approve the first reading of Ordinance No. 181.

Council member Haverkamp stated he reviewed the Bauer proposal against the city’s comprehensive plan; while it does increase density there is nothing else in the proposal that follows the comprehensive plan. Council member Yeggy stated that she cannot support this proposal as there is no data to make an informed opinion. Council member McGrath sees the Bauer proposal as a compromise. Council member Lane said the proposal is theoretical and does not have a developer.

MOTION by McGrath, seconded by Haverkamp, to approve the first reading of Ordinance No. 181. **Not Carried.**

Haverkamp - No McGrath - Yes
 Lane - No Yeggy - No
 Laverman – Abstain

Mayor’s Report: No written report. Mayor From thanked everyone involved in the 75th city anniversary and wide-sidewalk ribbon cutting events. She received many positive comments on the events.

Legal Report: A written report was presented. Attorney Ballard reminded the council they had discussed a request from Paul Moore to install a stone border six inches over the city right-of-way north of the sidewalk at their work session. Moore agreed to maintain the six inches along the front of the property.

MOTION by Haverkamp, seconded by Yeggy, to approve a request by Paul Moore to place landscaping stone in a small portion of the city right-of-way near the new patio of the restaurant at 1006 Melrose Avenue. **Carried.**

Haverkamp - Yes McGrath - Yes
 Lane - Yes Yeggy - Yes
 Laverman – Yes

Ballard also stated that the deadline for applications for the special election is November 19, 2010. Ten signatures are needed for a valid application

Clerk’s Report: Clerk Anderson e-mailed updated rental and building permit spreadsheets to the councilors. Anderson also stated she had nomination papers at the meeting for the special election to be held in 2011.

Finance Report: No report from Council member McGrath. Council member Yeggy reported the city is now set up to do on-line banking. Now reimbursement documents can be filed in a more timely manner.

Treasurer’s Report: All bills presented, amended and approved by **unanimous consent.**

**Warrants
 August 11, 2010 through September 14, 2010**

Name	Amount	Name	Amount
City of Iowa City	18.09	City of Iowa City	3,783.53
Matthew Fort	1,471.02	Andrew Dahl	150.00
Ronald Fort	1,042.86	Brad Reinhard	174.95
Benjamin Lord	645.09	Fesler's Inc.	59.80
Brad Reinhard	1,448.60	Freeman Lock	46.00
Donald Strong	1,455.36	Galls Incorporated	176.87
McLeod USA/PAETEC	135.26	Guardian ID Services, Inc.	118.50
MidAmerican Energy	39.11	Iowa City Press-Citizen	316.47
MidAmerican Energy	33.35	Treat America Dining	17.01
MidAmerican Energy	611.02	Johnson County Refuse, Inc.	1,738.50
MidAmerican Energy	125.30	Johnson County Treasurer	11.00
Christine Anderson	310.51	Leff Law Firm, L.L.P.	32,635.48
Matthew Fort	1,268.34	Mediacom	69.95

Building, Zoning & Sanitation: Council member Laverman asked the City Attorney Ballard to re-write the rental ordinance so that a written notice is not needed prior to issuing a citation. Ballard will draft the change for consideration at the next council meeting.

Laverman asked about the parking violations on Melrose noted (with photographs) by a resident. Chief Fort said that this parking problem is caused by residents' guests for Iowa football games. The city allows guest parking from Friday evenings until noon on Sundays when there is a home football game.

E-Government: In response to a Freedom of Information request from Mary Mathew Wilson, Council member Haverkamp has begun posting e-mails and correspondence regarding the St. Andrew's proposals to the city website. He asks that councilors forward any correspondence or e-mail to him that has not been sent to the entire council.

JCCOG: Mayor From stated the committee meeting was held August 25, 2010. She will have more information at the October council meeting.

Announcements: None.

The meeting was adjourned by **unanimous consent at 10:50 p.m.**

Attest: Christine M. Anderson, City Clerk

Approved: Louise A. From, Mayor