

July 12, 2011

Proceedings of the City Council of University Heights, Iowa, held at the University Club, 1360 Melrose Ave., subject to approval by the Council at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

REGULAR MEETING

Mayor From called the July 12, 2011 meeting of the University Heights City Council to order at 7:05 p.m.

Present: Mayor From. Council Members Mike Haverkamp, Rosanne Hopson, Stan Laverman, Brennan McGrath and Pat Yeggy. Staff present: Engineer Bilskemper, Attorney Ballard, Police Chief Fort, Treasurer Kimura, and Clerk Anderson. Also present were Ron Amelon, Pat Bauer, Kathie Belgum, Larry Berns, Andy Dudler, Ann Dudler, Linda Fincham, Joseph Frankel, Andre Gallet, Ann Grossheim, Alice Haugen, Tom Haugen, Chris Hedlund, Steve Hedlund, Catherine Lane, Jim Lane, Al Leff, Chris Luzzie, Jeff Maxwell, Kevin Monson, Josh O’Leary, Jane Pate, Scott Pantel, Rachel Prickman, Kent Ralston, James Stehbins, Rachel Stewart, Jane Swails, Jinx Tracy, Larry Wilson, Mary Mathew Wilson and John Yapp.

The minutes of the June 14, 2011 meeting and the June 28, 2011 work session meeting of the Council were presented and approved by unanimous consent.

Updates of Proposed Development: Ron Amelon, MMS Consultants, told the council about changes to the proposed development of One University Place. A 10 foot wide center median will be built on Sunset Street which will prevent traffic from entering or exiting onto North Sunset Street and provide screening for 104 North Sunset. Amelon also stated that the developer plans to stabilize the slope in the ravine. Less than five percent of the slope will be impacted by the stabilization. The purpose is to prevent an epic failure to the slope from construction activity.

Andre Gallet, of Terracon, spoke to the council regarding the testing done on the sensitive slope areas. Three borings in the ravine found man-made material which Gallet believes was placed in the ravine to stabilize it. Gallet stated there is the possibility for continuing erosion of the area and the developer plans to stabilize the ravine during the construction process. When questioned, Gallet said that only one tree will be removed and the instability is more at the top of the slopes as opposed to the ravine bottom.

Council member Haverkamp asked how the areas could be stabilized; Gallet responded that a fiber reinforcement or geo-grid could be used to stabilize the area. Amelon commented they both environmental and engineering solutions would be considered. Engineer Bilskemper inquired if three borings were sufficient; Gallet responded that the borings definitely pointed to a man-made embankment.

PUBLIC HEARING TO CONSIDER THE MAXWELL PUD PLAN APPLICATION

Mayor From called the public hearing to consider the PUD plan application of Jeff Maxwell concerning “One University Place”, a proposed redevelopment of real property presently owned by St. Andrew Presbyterian Church, as well as property immediately to the east of the church to order at 7:25 p.m.

6 members of the public spoke for or against the proposed PUD plan application as follows:

- | | |
|----------------------------------------|-----------------------------------------|
| Pat Bauer–338 Koser Avenue–Against | Kathie Belgum–104 Sunset Street–Against |
| Al Leff–215 Sunset Street–Against | Larry Wilson–308 Koser Avenue–Against |
| Alice Haugen–1483 Grand Avenue–Against | Jim Lane–303 Highland Drive –For |

Mayor From adjourned the public hearing at 8:27 p.m.

Mayor From called the council meeting of the University Heights City Council to order at 8:28 p.m.

City Planning Staff Report: Kent Ralston, Assistant Transportation Planner for MPO-JC, explained the parking scenarios report that the council requested. Based on information as provided in the PUD, 52 surface parking spaces and 26 below-grade parking spaces will be available for commercial patrons. No commercial parking spaces will be

available in the rear residential building. MPO-JC determines that there will be surplus parking at various peak and non-peak hours on weekdays. It was noted that the development could attract a large number of bicyclists and pedestrians; therefore the demand for parking spots could be lower than predicted.

Ralston commented that if the council has concerns about lack of available parking, a portion of the green space could be designated as a "land-bank" which could be utilized for future parking.

MPO-JC recommends signalization of the Melrose Avenue access when the traffic volume so warrants. Jim Lane questioned if the light could be used only during peak hours; Ralston stated that is a possibility but stated the light would probably be triggered by motion.

Ralston stated that 21 e-mails with written correspondence regarding the PUD were received between June 6th and July 8, 2011. Common themes were 1) the process/decisions by the council need to be slowed and weighed, 2) TIF is inappropriate for this development and/or to be used for public improvements, 3) the use of TIF funding is appropriate and may bolster the city's finances. 4) low-income housing is not needed in UHs and implementation would be difficult, 5) the scale and design of the development is appropriate to the site, and 6) PUD should not be compared to the Plaza Towers development in Iowa City.

Mayor From thanked the staff at MPO-JC for their work and stated that their reports have been very helpful to the council and citizens.

Consideration of a Community Survey about the TIF: Council member Hopson asked the council if they wished to conduct a survey of the community to show if there is support for the TIF or not. She feels it is important to involve the community with a survey. A work group would flesh out the questions and the same security protocol as was used for the last survey could be utilized again. McGrath and Hopson are in favor of a survey; Haverkamp, Laverman and Yeggy are not.

Council member Haverkamp stated he was not in favor of a survey as TIF has already been discussed in meetings for the past several years and that feedback has been requested and received. Council member McGrath questioned if any public input has swayed Haverkamp's opinion on the issues. Haverkamp replied the input has lead him to further research and review issues and he stated there is a difference between listening and agreeing with what is said.

A link to more information on TIF financing will be added to the city's website.

Mayor's Report: The Mayor will present a written report for July and August in August. She thanked the University Club and Cory for hosting the meeting and John McLure for video recording. Citizens who want a dvd recording of any meeting can contact the mayor, any council member, or John directly.

Legal Report: A written report was presented.

MOTION by Yeggy, seconded by McGrath, to adopt Resolution 11-08, adopting and approving the East Central Iowa Council of Governments Regional Comprehensive Integrated Solid Waste Management Plan 2011-2017. **Carried.**

Haverkamp - Aye	McGrath - Aye
Hopson - Aye	Yeggy - Aye
Laverman - Aye	

MOTION by McGrath, seconded by Hopson, to table consideration of a letter to the Johnson County Board of Supervisors until review of the developer's financial information by an outside consultant. **Not Carried.**

Haverkamp - No	McGrath - Aye
Hopson - Aye	Yeggy - No
Laverman - No	

MOTION by Hopson, seconded by McGrath, to have Tim Oswald, of Piper Jaffray do a financial review of the TIF proposal.

MOTION by Hopson, seconded by McGrath, to amend, to add “and Michael Mesch, of Terry Lockridge & Dunn, and PFM Group” after “Piper Jaffray” so all three would do a financial review of the TIF proposal.

REQUEST, without objection, to delete “PFM Group” from amendment. **Carried.**

VOTE on amendment to add “ and Michael Mesch, of Terry Lockridge & Dunn” after “Piper Jaffray” so both would do a financial review of the TIF proposal. **Carried.**

Haverkamp - Aye	McGrath - Aye
Hopson - Aye	Yeggy - Aye
Laverman – Aye	

VOTE on main motion to have Tim Oswald, of Piper Jaffray, and Michael Mesch, of Terry Lockridge & Dunn do a financial review of the TIF proposal. **Carried.**

Haverkamp - Aye	McGrath - Aye
Hopson - Aye	Yeggy - Aye
Laverman – Aye	

MOTION by Laverman, seconded by Yeggy, to adopt Resolution 11-09, as amended, authorizing the Mayor to sign and submit to the Johnson County Board of Supervisors a letter requesting that Johnson County participate in Tax Increment Financing concerning the proposed development known as One University Place.

REQUEST, without objection, end the first sentence of the third paragraph with the word “taxes”. **Carried.**

MOTION by Yeggy, seconded by Laverman, to amend the letter to end the last sentence in the second paragraph with the word “divided”. **Not Carried.**

Haverkamp – No	McGrath – No
Hopson – No	Yeggy – Aye
Laverman – Aye	

VOTE on motion to adopt Resolution 11-09. **Carried.**

Haverkamp - Aye	McGrath - No
Hopson - No	Yeggy - Aye
Laverman – Aye	

Attorney Ballard reminded the council, now that a public hearing has been held on the OUP PUD, the council may vote to accept or decline the PUD. Attorney Ballard asked for input on how the coordination of the PUD and TIF should progress. Council members Hopson and McGrath would like to focus solely on the TIF. Council members Haverkamp and Yeggy agreed the focus should be on the TIF but work should continue on the PUD and hammering out the details. Council member Laverman stated that work should continue on both as different staff work on the two proposals.

Initial consideration and discussion of the development agreement between UHS and the developer concerning OUP was postponed until a further council meeting.

Clerk’s Report: A written report was presented. Four new building permits and three new rental permits were received since the last council meeting.

MOTION by Laverman, seconded by Yeggy, to hire Kronlage & Olson, P.C., certified public accountants to conduct the city’s financial audit. **Carried.**

Haverkamp - Aye	McGrath - Aye
Hopson - Aye	Yeggy - Aye
Laverman – Aye	

Public Input: Comments received concerned the community survey and whether the council would be swayed by a petition against TIF. Several comments were received asking the council to represent the citizens by voting down the PUD and the TIF proposal. A citizen urged the council to keep the process moving regarding the TIF so the city could start to see revenue generated for the city as quickly as possible.

Finance Report: A written report was presented. Council member McGrath stated he had received a preliminary report from Mike Mesch at Terry, Lockridge & Dunn who are reviewing the city's financial records. McGrath stated he will have a full report at the August council meeting. Council member Laverman requested that the preliminary report be sent to the council members for review; McGrath stated he would.

Treasurer's Report: A written report was presented. All bills presented were approved by **unanimous consent**.

**Warrants
June 15, 2011 through July 12, 2011**

Name	Amount	Name	Amount
Matthew Fort	1,265.48	Adrian Schoenmaker	184.70
Ronald Fort	1,032.86	Nicholas Dunbar	5.55
Benjamin Lord	1,006.25	Jason Thomas	1.85
Brad Reinhard	1,168.50	Matthew Fort	1.85
Donald Strong,	1,196.90	Brandon Siggins	3.70
McLeod USA/PAETEC	136.90	Ryan West	3.70
MidAmerican Energy	27.43	Josh Lefler	7.40
MidAmerican Energy	33.66	Casey Hazen	1.85
MidAmerican Energy	32.31	IPERS	2,699.36
MidAmerican Energy	84.73	IPERS	101.56
MidAmerican Energy	611.87	Internal Revenue Service	6,472.86
Matthew Fort	1,487.13	Iowa Workforce Development	572.36
Ronald Fort	1,498.28	Treasurer State of Iowa	2,371.00
Benjamin Lord	675.50	Paul Moore	867.00
Brad Reinhard	1,292.14	Verizon Wireless	242.44
Donald Strong,	1,100.22	City of Iowa City	19.14
Fort, Matthew A	1,982.04	ABC Solutions	24.95
Ronald Fort	2,568.90	Paul Moore	35.00
Benjamin Lord	652.04	SEATS	703.66
Brad Reinhard	1,769.53	City of Coralville	14,859.00
Donald Strong	664.18	L.L. Pelling Co., Inc.	128.35
Josh Lefler	1.88	City of Iowa City	2,756.01
Keith Ahrens	1.89	Creative Services of New England	185.95
Brent Andersen	1.89	Deery Brothers Ford Lincoln Inc	158.80
Casey Hazen	1.89	Dorsey & Whitney LLP	7,905.00
Johnny Platt	1.89	Galls Incorporated	398.94
Rosanne Hopson	188.70	Hawkeye Community College	255.00
Louise From	463.96	Johnson County Refuse, Inc.	1,738.50
Michael Haverkamp	179.70	Mediacom	69.95
Stanley Laverman	188.70	Pyramid Services Inc.	715.98
Brennan McGrath	188.70	Racom Corporation	79.60
Patricia Yeggy	188.70	Ultramax	1,044.00
Wellmark BC/BS	1,528.72	Staples	116.25
Christine Anderson	243.02	Norm Cate	420.00
Lori Kimura	293.24	Terry Goerdt	910.00
Brandon Marquardt	1.89	J & L Construction	10,874.17
Chris Perdue	1.89	Westport Touchless Autowash	78.00
Darryl Tucker	1.89	Welt-Ambrisco Insurance	764.00
Louise From	638.83		

The meeting was adjourned by **unanimous consent at 11:10 p.m.**

Attest: Christine M. Anderson, City Clerk

Approved: Louise From, Mayor