

UNIVERSITY HEIGHTS, IOWA

1004 Melrose Ave.

March 10, 2015

Proceedings of the City Council of University Heights, Iowa, held at Horn School, 600 Koser Avenue, subject to approval by the Council at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

PUBLIC HEARING ON THE FISCAL YEAR JULY 1, 2015 – JUNE 30, 2016 BUDGET

Mayor From called the public hearing on the budget for the fiscal year July 1, 2015 through June 30, 2016 to order at 7:02 p.m. No members of the public spoke regarding the proposed budget. Mayor From closed the public hearing at 7:03 p.m.

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 188 AMENDING THE ZONING ORDINANCE TO PERMIT A MAXIMUM OF 104 DWELLING UNITS AND A MAXIMUM OF 108 ABOVE-GROUND PARKING SPACES IN THE MULTIPLE-FAMILY COMMERCIAL PUD ZONE. THE SPECIFIC AMENDMENTS CONCERN ZONING ORDINANCE SECTIONS 79(13)(B)(2) AND 79(13)(B)(6).

Mayor From called the public hearing on proposed Ordinance No. 188 amending the zoning ordinance to order at 7:06 p.m.

The following addressed the council with their concerns:

Pat Bauer - 338 Koser Avenue
Larry Wilson – 308 Koser Avenue
Stepheny Gahn – 62 Highland Drive
Chris Luzzie – 338 Koser Avenue
Rich Schmidt – 207 Mahaska Drive
Jase Humphrey – 27 Prospect Place
Al Leff – 215 Sunset Street

Justin Doyle – Member of the Maxwell development team
Jane Swailes – 333 Koser Avenue
Alice Haugen – 1483 Grand Avenue
Jerry Zimmerman – 1434 Grand Avenue
Mary Mathew Wilson – 308 Koser Avenue
Joe Frankel – 323 Koser Avenue
David Shriver – 100 Sunset Street – letter read by clerk

Pat Yeggy, chairperson of the Zoning Commission, stated the commission held two public meetings regarding the rezoning request from the developer. The commission voted in 3-2 in favor of the rezoning.

Mayor From closed the public hearing at 8:04 p.m.

PUBLIC HEARING ON PROPOSED ORDINANCE NO. 187 AMENDING ZONING ORDINANCE DEFINITIONS AND RESTRICTIONS AS RECOMMENDED BY THE ZONING COMMISSION.

Mayor From called the public hearing on changes to Ordinance No. 187 amending definitions and restrictions to order at 9:01 p.m. Pat Yeggy addressed the council regarding the proposed ordinance changes. Mayor From closed the public hearing at 9:02 p.m.

REGULAR MEETING

Mayor From called the March 2015 meeting of the University Heights City Council to order at 7:01 p.m.

Present: Mayor From. Council Members: Carla Aldrich, Mike Haverkamp, Jim Lane, Virginia Miller and Silvia Quezada. Staff present: Attorney Ballard, City Clerk Anderson, Engineer Bilskemper, Police Chief Stanley and Treasurer Kimura. Also present were: Pat Bauer, Sheryl Beinhart, June Braverman, Carolyn Brown, Carol Anne Christiansen, Justin Doyle, Andy Dudler, Joe Frankel, Josh Gahn, Stepheny Gahn, Alice Haugen, Wally Heitman, Jase Humphrey, Eunice Hunzelman, Steve Kuhl, Al Leff, Chris Luzzie, Kris Lyon, Jeff Maxwell, Kevin Monson, Paul Moore, Dell Richard, Kent Ralston, Fatima Saeed, Mary Schmidt, Rich Schmidt, Jane Swails, Warren Tunwall, Joe Whitsitt, Larry Wilson, Mary Mathew Wilson, Ken Yeggy, Pat Yeggy and Jerry Zimmerman.

The minutes of the February 10, 2015 council meeting were approved by unanimous consent.

Mayor From reopened the regular council meeting at 7:03 p.m.

FY16 Budget: Steve Kuhl, city accountant, led the discussion on the FY16 budget. The city has budgeted \$957,188 for revenue with \$956,409 in expenses, resulting in a \$79 surplus.

MOTION by Lane, seconded by Haverkamp, to approve Resolution No. 15-07, to approve the budget for the fiscal year July 1, 2015 through June 30, 2016. **Carried.**

Aldrich - Aye	Miller - Aye
Haverkamp - Aye	Quezada - Aye
Lane - Aye	

Mayor From reopened the regular council meeting at 8:05 p.m.

Presentation by Maxwell Team: Kevin Monson presented a PowerPoint presentation to the council. Monson stated the team is “not asking for approval of the project” and there is no PUD for the council to consider at this time. What is under consideration is a rezoning modification to increase the condominium units from 80 to 124 and to increase the number of above-ground parking spaces from 55 to 108. Monson said the developer will not build extra parking, if it is not needed.

The south building is shorter which will positively impact the green space on the property and has been further moved back from Melrose Avenue. The current ordinance allows for 20,000 square feet of retail space but the plans ask for 14,600 square feet. There would be room for a community space if the council chooses.

Council member Aldrich asked if the proposed site is “any less walkable” than church area. Monson replied that he feels it is more walkable and there is more green space than what St. Andrew currently has on the site.

Council member Quezada asked if the concrete will be permeable or impermeable and the measures that will be used for water run-off. The development will use bioswales; storm water run-off from the parking lots will be absorbed and filtered naturally towards the ravine. The development will have less impermeable surfaces than what the church currently has.

Quezada inquired about the construction integrity of the 24 condominiums. Monson replied that they will be same design as the north building and feels they will be “some of the best condominiums in Johnson County” and would be happy to put that in writing in the PUD.

Updates of MFO Traffic Study for OUP: Kent Ralston, Executive Director for MPOJC, addressed the council regarding updates to the traffic study conducted for the proposed development. Given that residential units have increased while commercial space has decreased, the result is a net decrease in trips generated from the development. Ralston stated this is due to the reduction in commercial space and that commercial entities generate more traffic than residential properties. Ralston stated the recommendations in the May 19, 2014 report still stand for the development. A dedicated east-bound left-turn lane into the development is still warranted and a dedicated east-bound left-turn lane is not warranted at Melrose Avenue and Sunset Street. A traffic signal is not warranted for peak traffic times and the realignment of the intersection should increase traffic flow by eliminating the split phase for traffic signals.

Council member Haverkamp stated the 2014 study stated 75% of the commercial traffic would be generated in non-peak traffic hours and ask if that was still an accurate statement. Ralston feels that is still an accurate statement given the increase in residential units and the decrease in commercial space; Ralston commented “it balances itself out”. National standards are used and represent a conservative traffic estimate. Ralston recommends that site be designed for a traffic signal for potential use in the future.

Quezada commented that natural standards are not very precise and inquired if the city was more or less than the standard. Ralston stated that real traffic data was used for the report except for the projections, which utilized the national standards.

Discussion by Council: Haverkamp feels commercial entities are important in the development and will help create a better identify for the community. Haverkamp feels this is a “good forward looking plan” and fits well with the city’s comprehensive plan. Haverkamp stated the lot-coverage for the proposed development is approximately 40% whereas the lot-coverage for the church is 51%. Haverkamp stated he will vote in favor of the rezoning request.

Quezada said she also has reviewed the comprehensive plan and spoken with citizens about their concerns. Quezada stated there is support for the development but not for Gap or TIF financing. Quezada said she is looking at the numbers and trying to keep an open mind. Quezada is “looking for a fair and balanced transaction” for the city.

Council member Miller asked the development team when a PUD will be submitted to the city for consideration. Monson replied they hope to have it submitted by the next council meetings, assuming an affirmative vote on the rezoning request.

Council member Lane feels the commercial space will give the city a “higher quality project”. Lane said the city needs to look ahead 20 years and not be stuck in the past; adding commercial development “makes the town more inviting”. Lane would like assurances on the

quality of the building materials but is confident the developer will provide those assurances. The council has received better data regarding the parking spaces. Lane feels the city will need to hire a good construction inspector for the project.

Aldrich said the statements at the meeting reflect items covered in a PUD and that is not what is under consideration. The request is for number of units and parking spaces. Aldrich stated she can support that request and she feels the site will be a more walkable site with more green space.

Miller requested the development team review the designs of the past year and submit their “best effort” at the next council meeting.

MOTION by Haverkamp, seconded by Quezada, to approve first consideration of Ordinance No. 188, to change the zoning ordinance to permit a maximum of 104 dwelling units and a maximum of 108 above-ground parking spaces in the Multiple-Family Commercial PUD Zone. The property in this zone is the subject of Maxwell Development’s One University Place proposal. The specific amendments concern Zoning Ordinance Sections 79(13)(B)(2) and 79(13)(B)(6). **Carried.**

Aldrich - Aye	Miller - Aye
Haverkamp - Aye	Quezada - Aye
Lane – Aye	

Mayor From reopened the regular council meeting at 9:03 p.m.

MOTION by Quezada, seconded by Miller, to suspend the requirement that a proposed ordinance be considered and voted upon for passage at two council meetings prior to the meeting at which it is to be finally passed. **Carried.**

Aldrich - Aye	Miller - Aye
Haverkamp - Aye	Quezada - Aye
Lane – Aye	

MOTION by Quezada, seconded by Haverkamp, to approve final consideration of Ordinance No. 187 amending Ordinance No. 79 to change zoning ordinance definitions and restrictions, as recommended by the Zoning Commission. **Carried.**

Aldrich - Aye	Miller - Aye
Haverkamp - Aye	Quezada - Aye
Lane – Aye	

Public Comments: Joe Whitsett, 362 Koser Avenue, addressed the council with his concerns.

Mayor’s Report: A written report was presented. From thanked the Iowa City Community School District and Horn staff for providing the meeting space and local Channel 4 staff for video-taping the meeting.

From state the Farmers Market will be held for the third year at St. Andrew Church the first Tuesday of June through October; 5:00-7:00 pm. Contact Mayor from for more information.

RAGBRAI will pass through the city, on Melrose Avenue, on Saturday morning, July 25, 2015.

Legal Report: A written report was presented. The Iowa House has passed legislation that would restrict the ability of cities to limit, via zoning, the number of unrelated adults that can occupy a property. Citizens were asked to contact their local senators to oppose this legislation.

Clerk’s Report: A written report was presented.

Finance Report: Verbal report was presented. Lane thanked everyone for their work on the budget.

Lane would like to schedule a work session on TIF, Gap financing and tax abatements. It would be an educational session with John Danos, partner in Dorsey & Whitney, LLP. A work session meeting was scheduled for March 23, 2015 at 6:30 p.m.

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

Warrants
February 11, 2015 through March 10, 2015

Name	Amount	Name	Amount
City of Iowa City	20.30	Paul Moore	1,374.23
Kristofer Lyon	416.82	Carpenter Uniform & Promotional Products	268.55
Michelle Miller	1,299.23	City of Iowa City	14,828.05
Christian Jones	1,661.30	Mediacom	109.95
Alexander Patch	2,010.04	Pyramid Services Inc.	656.01
Harold Plate	181.39	Hollywood Graphics	132.08
Nicholas Sherman	913.16	Iowa Law Enforcement Academy	160.00
Jeremy Stenda	145.54	Racom Corporation	11,353.22
Matthew Fort	1,373.76	Entenmann-Rovin Co.	360.60
Kenneth Stanley	1,612.58	Kieck's Career Apparel	119.95
Internal Revenue Service	2,812.22	SEATS	703.66
MidAmerican Energy	37.86	Leff Law Firm, L.L.P.	39,108.10
MidAmerican Energy	91.86	Shive Hattery	5,662.00
MidAmerican Energy	34.51	Terry Goerd	525.00
MidAmerican Energy	29.90	Norm Cate	700.00
MidAmerican Energy	651.30	Louise From	60.00
Christine Anderson	461.09	Iowa Association of Municipal Utilities	503.43
Matthew Fort	1,373.75	Culligan Water Tech	8.48
Lori Kimura	352.24	Iowa Law Enforcement Academy	320.00
Kristofer Lyon	1,063.79	City of Iowa City	500.00
Michelle Miller	1,278.47	Russ Boyer Construction	526.00
Alexander Patch	1,760.17	Anderson, Christine M.	11.14
Harold Plate	219.61	Kenneth Stanley	18.99
Nicholas Sherman	1,539.91	Westport Touchless Autowash	90.00
Kenneth Stanley	1,612.59	Iowa City Press-Citizen	299.63
Wellmark BC/BS	260.09	Johnson County Refuse, Inc.	1,738.50
Ryan Miller	456.86	VISA	644.57
Internal Revenue Service	3,291.00	Iowa City Area Chamber of Commerce	397.00
IPERS	223.43	Internet Navigator	24.95
IPERS	3,577.54	Hawkeye Construction & Snow Removal	21,288.50

General Fund - \$ 103,334.77

Road Use Tax - \$ 22,568.07

Employee Benefits Fund - \$ 7,352.06

Total Receipts

\$ 39,992.99

Total Warrants

\$ 133,254.90

Building, Zoning, and Sanitation: A written report was presented.

MOTION by Quezada, seconded by Aldrich, approval Resolution No. 15-08, authorizing enacting a moratorium on issuing building permits in the City of University Heights to allow the city council time to consider certain changes to the City's zoning ordinance related to sensitive slopes and storm water runoff. **Carried.**

Aldrich - Aye	Miller - Aye
Haverkamp - Aye	Quezada - Aye
Lane - Aye	

MOTION by Quezada, seconded by Lane, to approve Resolution No. 15-09, authorizing the mayor to sign and the clerk to attest a Memo of Understanding with Johnson County Refuse concerning composting services for residents. **Carried.**

Aldrich - Aye	Miller - Aye
Haverkamp - Aye	Quezada - Aye
Lane - Aye	

Consideration of Resolution No. 15-10 authorizing the City to engage the services of an intern and setting forth the scope of and compensation for those services was tabled.

Community Protection: A written report was presented by Police Chief Stanley. A written report was presented by council members Aldrich and Haverkamp.

Chief Stanley distributed new city parking passes to the council. Citizens can call the police department and receive a parking pass to be placed on the dashboard of the vehicle when they have additional vehicles at their property.

Streets and Sidewalks: Council member Miller and the City Engineer presented written reports.

MOTION by Miller, seconded by Lane, to approve Resolution No. 15-11 authorizing certain trees to be planted in the city rights-of-way at specified addresses. **Carried.**

Aldrich - Aye	Miller - Aye
Haverkamp - Aye	Quezada - Aye
Lane - Aye	

MOTION by Miller, seconded by Aldrich, to approve Resolution No.15-12, authorizing the mayor to submit an application to the Iowa DOT Sign Replacement Program for cities for replacement of deficient signing materials. **Carried.**

Aldrich - Aye	Miller - Aye
Haverkamp - Aye	Quezada - Aye
Lane - Aye	

Community Relations: A written report was presented.

eGovernment: A written report was presented.

Haverkamp, From and City Engineer Bilskemper met with representatives from Metronet, a fiber optic network provider. The company is interested in expanding into the metro areas of Johnson County. It is anticipated there will be proposed language for the April council meeting to conduct a survey for fiber lines within the city. The company is currently surveying Iowa City.

Announcements: Fourth Room Theatre will present *The Tempest* this year. Haverkamp stated Matthew James will come to a council meeting request a noise amplification permit.

The meeting was adjourned **by unanimous consent at 9:57p.m.**

Attest: Christine Anderson, City Clerk

Approved: Louise A. From, Mayor