

April 25, 2016

Proceedings of the City Council of University Heights, Iowa, held at the City Hall, 1004 Melrose Avenue, subject to approval by the Council at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

SPECIAL COUNCIL MEETING

Mayor Heitman called the April 25, 2016 meeting of the University Heights City Council to order at 6:31 p.m.

Present: Mayor Heitman. Council Members: Mike Haverkamp, Jim Lane, Dotti Maher, Silvia Quezada and Jerry Zimmermann. Staff present: Attorney Ballard, Clerk Anderson and Engineer Bilskemper. Also present were: Pat Bauer, Paul De Young, Justin Doyle, Juan Pablo Hourcade, Jeffrey Maxwell, Marvin Sims and Carolyn Wells.

Public Comments: The following addressed the council with their concerns:

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|------------------------------------|-------------------------------------|
| Marvin Sims – 1265 Melrose Avenue  | Jeff Maxwell – OUP developer        |
| Paul De Young – 21 Prospect Place  | Justin Doyle – OUP development team |
| JP Hourcade – 416 Ridgeview Avenue | Carolyn Wells – 322 Highland Drive  |

Ravine Planting Plan: Jeff Maxwell, developer for One University Place, updated the council on the grading plan for the ravine. Maxwell stated he requested a survey be conducted by MMS. The plan will be presented for approval at the May council meeting.

Discussion on relocation of Utility Lines:

MOTION by Zimmermann, seconded by Maher, to appoint a representative to discuss with OUP personnel and the landowners, compensation for the placement of the utility pole.

MOTION by Zimmermann, seconded by Quezada, to amend the motion to ask OUP personnel and the landowners to discuss compensation for the utility pole. Carried by unanimous consent.

MOTION by Haverkamp, seconded by Lane, to approve Resolution No. 16-18, approving the agreement for utility relocation and rebuild between the City of University Heights and MidAmerican Energy Company that establishes the terms and conditions under which certain overhead power and other communication lines will be moved and installed underground in the City to accommodate the One University Place development at an estimated cost of \$33,499.00, for which the OUP developer will reimburse the City. Approval dependent upon a written and signed agreement with the affected landowner for compensation from OUP developer. Carried.

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|-----------------|------------------|
| Haverkamp - Aye | Quezada - Aye    |
| Lane - Aye      | Zimmermann - Aye |
| Maher – Aye     |                  |

MOTION by Lane, seconded by Haverkamp, to approve Resolution No. 16-19, authorizing the mayor to sign amendments to the PUD Development Agreement and the TIF Development Agreement between the City of University Heights and Jeff Maxwell to provide that the City’s cost of moving certain overhead power and other communication lines and installing them underground will be reimbursed by the One University Place developer to the City. Approval dependent upon complete of conditions in Resolution 16-18. Carried.

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|-----------------|------------------|
| Haverkamp - Aye | Quezada - Aye    |
| Lane - Aye      | Zimmermann - Aye |
| Maher – Aye     |                  |

Special Assessment Discussion: Pat Bauer updated the council on the public meeting held April 20th, to solicit proposals from the community, regarding a special assessment to pay for OUP public improvement (left-turn lane from Melrose Avenue and realignment of Melrose Avenue – Sunset Street intersection). JP Hourcade distributed a spreadsheet to the council showing an analysis of taxes on OUP.

City Attorney Ballard gave a timeline of the special assessment discussion between the development team and the city. Currently, the TIF Development Agreement specifies a 15 day reimbursement and not special assessment. . This time line indicates Ballard communicated clearly to the entire development team, including Justin Doyle, about the agreement not having a special assessment. Doyle stated the special assessment was overlooked by the developer’s legal team and proposed the following solution:

- Developer will pay 90% of the difference in interest costs for bonding (as opposed to special assessment), payable to the city directly or as a reduction in the cost for the Community Center.
- Developer does not object to bond proceeds being utilized for the Community Center.
- Developer does not object to 12% increase in the size of the Community Center, which differs from the Development Agreement.

Doyle indicated that he had experience working out “advantage sharing structures” so that residents can share the benefits of advantages accruing to the developer from accelerated sales of living units. Doyle was asked by Zimmermann to bring forth such a proposal.

**MOTION** by Haverkamp, seconded by Lane, requesting the OUP developer list their proposal in writing, and include relevant calculations, as requested by council. **Carried.**

Haverkamp - Aye	Quezada - Abstain
Lane - Aye	Zimmermann - Aye
Maier - Aye	

**Announcements:** None.

The meeting was adjourned **by unanimous consent at 8:40 p.m.**

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**Attest: Christine M. Anderson, City Clerk**

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**Approved: Weldon E. Heitman (Wally), Mayor**