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Summary of Minutes

September 1, 2020 - 7:00 PM

Electronic Meeting (Pursuant to Iowa Code section 21.8) An electronic meeting was held because a meeting in person was impossible or impractical due to concerns for the health and safety of council members, staff and the public presented by COVID-19.

Iowa City City Council electronic regular meeting, held via Zoom Meeting Platform. Mayor Teague presiding. Council members present: Bergus, Mims, Salih, Taylor, Teague, Thomas, Weiner. Staff members present: Fruin, Monroe, Kilburg, Dilkes, Fruehling, Sitzman, Bockenstedt, Fleagle, Knoche, Havel. UISG: Longnecker, Van Heukelom.

1. **Call to Order**
 2. **Proclamations**
 - 2.a. **Americans with Disabilities Act 30th Anniversary Day** - Accepted by Sujit Singh.
 - 2.b. **Stono Rebellion** - Accepted by Bijou Maliabo, Human Rights Commissioner.
 - Beginning of Consent Calendar (Items 3 – 8)**
 - Consider adoption of the Consent Calendar as presented or amended**
 3. **Approval of Council Actions (subject to corrections, as recommended by the City Clerk)**
 - 3.a. **Regular Work Session Minutes: August 18**
 - 3.b. **Regular Formal Summary of Minutes: August 18**
 4. **Receive and File Minutes of Boards and Commissions**
 - 4.a. **Community Police Review Board: July 14**
 - 4.b. **Housing & Community Development Commission: July 16**
 - 4.c. **Planning & Zoning Commission: August 6**
 - 4.d. **Telecommunications Commission: June 1**
 5. **Permit Motions and Resolutions (as recommended by the City Clerk)**
 - 5.a. **Liquor License - Renewals**
 1. **Class C Beer Permit for ND Express, Inc., dba North Dodge Express, 2790 N. Dodge St.**
 2. **Class C Beer Permit for Hy-Vee, Inc., dba Hy-Vee Gas #1, 260 Stevens Dr.**
 3. **Class C Beer Permit for El Paso Tienda y Tanqueria Inc., dba El Paso the Mexican Store, 609 Hollywood Blvd.**
 - 5.b. **Liquor License - New**
 1. **Class C Liquor License for Christian Retirement Services, Inc., dba Oaknoll East, 2640 N. Scott Blvd.**
 2. **Class E Liquor License for Casey's Marketing Company, dba Casey's General Store #2761, 204 N. Dubuque St. Staff is recommending denial. Letter from Danielle Sitzman, Development Services Coordinator/Building Official.**
 6. **Resolutions and Motions**
 - 6.a. **Resolution Adopting FY2021 Inter-fund Transfers. (Resolution 20-203)**
 - 6.b. **Resolution Requesting Reimbursement from the Iowa COVID-19 Government Relief Fund. (Resolution 20-204)**
 - 6.c. **Resolution approving Final Plat of Community View - Part One Subdivision, Iowa City, Iowa. (SUB20-0001) (Resolution 20-205)**
 - 6.d. **Resolution authorizing the procurement of one (1) track excavator and one (1) articulated haul truck for Landfill Operations. (Resolution 20-206)**
 - 6.e. **Resolution awarding contract and authorizing the Mayor to sign and the City Clerk to attest a contract for construction of the 2019-2020 Annual Sanitary Sewer Pipe Rehabilitation Construction Project. (Resolution 20-207)**
 - 6.f. **Resolution accepting the work for the Willow Creek Park Improvements Project. (Resolution 20-208)**
 7. **Setting Public Hearings**
 - 7.a. **Resolution setting a public hearing for September 15, 2020 on an ordinance amending Title 3, "City Finances, Taxation and Fees", Chapter 4, "Schedule of Fees, Rates, Charges, Bonds, Fines and Penalties", Section 3, entitled "Potable Water Use and Service," of the City Code, to increase or change water service charges and fees in Iowa City, Iowa and amending Title 16, entitled "Public Works", Chapter 3A, entitled "General Provisions", Sections 5, 6 and 7, entitled "Establishing City Utility Accounts; Deposits Required", "Billing and Collection Procedures; Delinquent Accounts" and "Discontinuation and Restoration of Service" to make delinquent account collection fees and procedures more equitable and just. (Resolution 20-209)**
 8. **Correspondence**
 - 8.a. **COVID-19/Mask Mandate: Anne Duggan, Leighton Hill**
 - 8.b. **Black Lives Matter Movement/Systemic Racism/Police Policies: Carol deProse (x2), Zack Rundlett, Aaron Peter**
 - 8.c. **David Etre (x2): Homeless Harassment**
 - 8.d. **Bob Oppliger: Create Bike Advocacy Committee [Staff response included]**
 - 8.e. **Laura Stern: Complaint**
 - 8.f. **Nathan Chalkley: Fluoride in the Iowa City water**
 - 8.g. **Mary Gravitt: SEATS bus mishap**
 - 8.h. **Removal of (2) Metered Parking Stalls and Establishment of Commercial Vehicle Loading Zone on East Market Street**
- End of Consent Calendar**
- Motion to approve as amended. Moved by M. Salih, seconded by S. Mims. Motion Passed. (7 Ayes)**

The following individuals appeared: Mohamed Traore regarding item 16 - Independent Review of June 3rd Protest Incident; Crissy Canganelli, Executive Director for Shelter House regarding item 8.i - HUD's proposed rule change.

Mayor Pro Tem Salih inquired where the public hearing for item 7.a would appear on the 9/15 agenda.

Councilor Mims asked if there would be agreement from Council to have the Mayor send a letter of support for Crissy Canganelli's comments in disagreement for item 8.i - HUD's proposed rule change. Councilors agreed to the letter.

Motion to accept late correspondence. Moved by M. Salih, seconded by J. Thomas. **Motion Passed. (7 Ayes)**

9. Community Comment (items not on the agenda) [UNTIL 8 PM]

The following individuals appeared: Raneem Hamad recited a poem and discussed the Sunday protest and the arrests of BIPOC individuals and restated the IFR demands; Liana Suleiman regarding the Black Lives Matter demands; Tessa Heeren regarding item 19 - Procurement of Axon Taser 7 Conducted Energy Device Bundles; Mohamed Traore regarding protests and Black Lives Matter demands; David Etre regarding item 8.c - Homeless Harrassment; David Drustrup regarding arrests of BIPOC individuals and articles written by Councilors Bergus and Mims; Amel Ali regarding the youth panel for the Iowa City Police Chief/support for Dustin Liston, and concerns with IFR leadership during protests; Stephany Hoffelt regarding the police presence at protests; Maya Sims regarding police at protests and asked for follow through on the Black Lives Matter demands; Elizabeth Folkers regarding the comments on homeless harrassment; Audrey Keith regarding item 8.b - letter of support for the Iowa Freedom Riders and asked Councilors to vote no on Tasers and the budget amendment; David Sterling regarding protests and graffiti.

10. Planning and Zoning Matters

10.a. Resolution amending Iowa City's Comprehensive Plan to change the future land use designation from Public/Private Open Space to General Commercial for the property located north of Camp Cardinal Boulevard and west of Camp Cardinal Road (CPA20-0001).

Development Services Coordinator Sitzman presented a power point. The following individual appeared: Jon Marner, MMS Consultants. Individual Council members expressed their views.

Motion to approve Resolution 20-210. Moved by M. Salih, seconded by S. Mims. **Motion Passed. (7 Ayes)**

10.b. Letter to the Johnson County Board of Adjustment recommending denial of a conditional use permit for a kennel and daycare facility in the County Residential (R) zone at Lot 2 and Outlot A of Lovik First Subdivision within Fringe Area B - Inside the City's Growth Boundary of the City/County Fringe Area. (CREZ20-0002)

Motion to defer to 9/15/20. Moved by S. Mims, seconded by M. Salih. **Motion Passed. (7 Ayes)**

Motion to accept correspondence. Moved by S. Mims, seconded by J. Weiner. **Motion Passed. (7 Ayes)**

10.c. Letter to the Johnson County Planning and Zoning Commission in support of a rezoning from County Agriculture (A) to County Residential (R) for approximately 1.76 acres of property located at 4477 Sioux Avenue SE within Fringe Area B - Outside the Growth Boundary of the City/County Fringe Area. (CREZ20-0001)

Development Services Coordinator Sitzman presented a power point.

Motion to approve letter. Moved by M. Salih, seconded by P. Taylor. **Motion Passed. (7 Ayes)**

Regular Formal Agenda

11. Resolution Amending the Current Budget for Fiscal Year Ending June 30, 2021.

A public hearing was held. City Manager Fruin provided information. Budget & Compliance Officer Fleagle presented a power point. The following individuals appeared: Liana Suleman, David Sterling, Raneem Hamad. Individual Council members expressed their views. City Manager Fruin provided additional information.

Motion to approve Resolution 20-211. Moved by S. Mims, seconded by L. Bergus. **Motion Passed. (7 Ayes)**

Motion to accept correspondence. Moved by J. Thomas, seconded by J. Weiner. **Motion Passed. (7 Ayes)**

12. Resolution approving a ground lease with Iowa City Hotel Associates, LLC for space to store a solid waste container at 150 E. Court Street.

A public hearing was held. City Manager Fruin presented information.

Motion to approve Resolution 20-212. Moved by J. Thomas, seconded by P. Taylor. **Motion Passed. (7 Ayes)**

13. Ordinance amending Title 8, entitled "Police Regulations," Chapter 4, entitled "Animal Services," to prohibit feeding of deer. (Second Consideration)

The following individuals appeared: Laurie Crawford. City Attorney Dilkes provided information.

Motion to give second consideration. Moved by S. Mims, seconded by M. Salih. **Motion Passed. (7 Ayes)**

14. Ordinance amending Title 8, entitled "Police Regulations," Chapter 7, entitled "Weapons," to allow persons to discharge an arrow as part of an approved deer management plan. (Pass & Adopt)

The following individuals appeared: Florence Boos, Lori Kendrick, Allison Jaynes, Laurie Crawford, David Drustrup, Rosa Rodriguez. City Attorney Dilkes provided information.

Vote postponed until after item 15 discussion.

Motion to pass & adopt Ordinance 20-4828. Moved by S. Mims, seconded by J. Thomas. **Motion Passed. (5 Ayes)**
Nays: Salih, Taylor.

Motion to accept correspondence. Moved by S. Mims, seconded by J. Thomas. **Motion Passed. (7 Ayes)**

15. Resolution approving the rules and requirements of the Bow Hunt Program.

City Manager Fruin provided information and presented a power point. City Attorney Dilkes provided additional information.

The following individuals appeared: Florence Books, Allison Jaynes, Brian McAllister, Regenia Bailey, Kelsey Teeter, Lori Kendrick, Laurie Crawford.

Individual Council members expressed their views regarding items 14 & 15.

Motion to approve Resolution 20-213. Moved by S. Mims, seconded by J. Thomas. **Motion Passed. (4 Ayes)**
Nays: Salih, Taylor, Weiner.

Motion to accept correspondence. Moved by M. Salih, seconded by J. Weiner. **Motion Passed. (7 Ayes)**

16. **Resolution authorizing the Mayor to sign and the City Clerk to attest a Consultant Agreement with the OIR Group, LLP to conduct an independent review of Iowa City's involvement in the use of tear gas and flash bang devices during the protest in Iowa City on June 3, 2020.**
 City Manager Fruin presented information.
 The following individuals appeared: Raneem Hamad, Liana Suleman, Sophia Lusala, Annie Gudenkauf, David Drustrup, Laurie Crawford, Lori Kendrick, Brian Nilles, Stephany Hoffelt, Royceann Porter.
 Individual Council members expressed their views. City Manager Fruin and City Attorney Dilkes provided additional information.
Motion to approve Resolution 20-214. Moved by L. Bergus, seconded by S. Mims. **Motion Passed. (7 Ayes)**
Motion to accept correspondence. Moved by M. Salih, seconded by L. Bergus. **Motion Passed. (7 Ayes)**
17. **Resolution establishing Ad Hoc Truth and Reconciliation Commission.**
 Councilor Weiner identified the framework used to create the resolution.
 The following individuals appeared: Raneem Hamad, Angie Jordan, David Drustrup, Sabri Sky, Tanner King, Raneem Hamad, Liana Suleiman, Royceann Porter.
 Individual Council members expressed their views. City Attorney Dilkes provided additional information.
Motion to approve. Moved by M. Salih, seconded by J. Thomas. **Motion Other. (0 Ayes)** No action was taken.
Motion to defer to 9/15/2020. Moved by M. Salih, seconded by L. Bergus. **Motion Passed. (7 Ayes)**
Motion to accept correspondence. Moved by S. Mims, seconded by J. Weiner. **Motion Passed. (7 Ayes)**
18. **Resolution amending budgeted positions in the Police Department and by deleting one full-time Police Officer position and adding one full-time Victim Services Specialist position and amending the AFSCME pay plan by adding the position Victim Services Specialist to grade 11.**
 City Manager Fruin presented information. The following individuals appeared: Kristie Fortmann-Doser, DVIP, Liana Suleiman, Cady Gerlach.
 Individual Council members expressed their views.
Motion to approve Resolution 20-215. Moved by S. Mims, seconded by P. Taylor. **Motion Passed. (7 Ayes)**
19. **Resolution authorizing the procurement of Axon Taser 7 Conducted Energy Device Bundles for the City of Iowa City.**
 City Manager Fruin presented information. The following individuals appeared: Liana Suleiman, David Drustrup, Raneem Hamad, Oscar Rodriguez, Brian Nilles, Royceann Porter, Maya Sims, Kelsey Teeter.
 City Manager Fruin recommended indefinite deferral. Individual Council members expressed their views.
Motion to approve. Moved by M. Salih, seconded by S. Mims. **Motion Other. (0 Ayes)** No action was taken.
Motion to defer indefinitely. Moved by J. Weiner, seconded by L. Bergus. **Motion Passed. (7 Ayes)**
Motion to accept correspondence. Moved by M. Salih, seconded by J. Thomas. **Motion Passed. (7 Ayes)**
20. **Announcement of Vacancies - New**
Applicants MUST reside in Iowa City and be 18 years of age unless specific qualifications are stated. [Staff will not publish additional notices after the initial announcement; but will continue to advertise vacancies on the City website and Council agenda. More information may be found on the City website or in the City Clerk's office.
Planning and Zoning Commission - One vacancy to fill an unexpired term. Upon appointment - June 30, 2021. (Carolyn Dyer resigned) Correspondence included in Council packet.
Applications must be received by 5:00 P.M., October 13, 2020.
Motion to accept correspondence. Moved by M. Salih, seconded by J. Weiner. **Motion Passed. (7 Ayes)**
21. **Announcement of Vacancies - Previous**
Applicants MUST reside in Iowa City and be 18 years of age unless specific qualifications are stated. [Staff will not publish additional notices after the initial announcement; but will continue to advertise vacancies on the City website and Council agenda. More information may be found on the City website or in the City Clerk's office.
Human Rights Commission - One vacancy to fill an unexpired term plus a three-year term. Upon appointment - December 31, 2023. (Zachary Rochester resigned)
 Applications must be received by 5:00 P.M., September 29, 2020.
Climate Action Commission - One vacancy to fill an unexpired term plus a three-year term. Upon appointment - December 31, 2023. (Katie Sarsfield resigned)
 Applications must be received by 5:00 P.M., September 8, 2020.
Airport Zoning Board of Adjustment - One vacancy to fill a five-year term, January 1, 2016 - December 31, 2020. (Formerly advertised)
Historic Preservation Commission (E. College St) - One vacancy to fill a three-year term, July 1, 2018 - June 30, 2021. (Term expired for Esther Baker)
Historic Preservation Commission (Northside) - One vacancy to fill a three-year term, July 1, 2020 - June 30, 2023. (Term expired for Thomas Agran)
Historic Preservation Commission (Woodlawn) - One vacancy to fill an unexpired term. Effective upon appointment - June 30, 2021. (Lee Shope resigned)
Telecommunications Commission - One vacancy to fill a three-year term, July 1, 2020 - June 30, 2023. (Term expired for Kyla Paterson)
 Vacancies will remain open until filled.
22. **Community Comment [IF NECESSARY] (ITEMS NOT ON THE AGENDA)**
 The following individuals appeared: Ryan Longenecker, UISG Liaison, presented UISG updates.
23. **City Council Information**
 Council members reported on various meetings attended, upcoming meetings, community events, and items of interest.
24. **Report on Items from City Staff**
 a. **City Manager -**

City Manager Fruin thanked Johnson County for all the support they have given the City after the derecho.

- b. **Assistant City Manager**
- c. **City Attorney**
- d. **City Clerk**

25. Adjourn

Motion to adjourn to the work session at 12:22 AM. Moved by P. Taylor, seconded by L. Bergus. **Motion Passed. (7 Ayes)**

s/Bruce Teague, Mayor

Attests:/Kellie K. Fruehling, City Clerk

Submitted for publication on 9/15/2020