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**Iowa City
City Council Agenda
Regular Formal
October 18, 2016 - 7:00 p.m.
City Hall – Harvat Hall
410 E. Washington Street
www.icgov.org**



ITEM 1. CALL TO ORDER

ITEM 1a Roll Call

ITEM 2. STUDENT LEADERSHIP AWARDS

ITEM 2a Mark Twain Elementary

- Elijah Morris
- Hayate Mustefa
- Anthony Rodriguez

ITEM 3. PROCLAMATIONS

ITEM 3a United Nations Day - October 24

ITEM 3b National Disability Employment Awareness Month – October

ITEM 4. CONSIDER ADOPTION OF THE CONSENT CALENDAR AS PRESENTED OR AMENDED

ITEM 4a. Approval of Council Actions, subject to corrections, as recommended by the City Clerk:

ITEM 4a(1) October 4 Work Session

ITEM 4a(2) October 4 Regular Formal Official & Complete

ITEM 4b. Receive and File Minutes of Boards and Commissions (any recommendations contained in minutes become effective only upon separate Council action).

ITEM 4b(1) Community Police Review Board – September 13

ITEM 4b(2) Parks and Recreation Commission – June 8

ITEM 4b(3) Planning and Zoning Commission – September 1

ITEM 4b(4) Telecommunications Commission – August 29

**ITEM 4c. Permit Motions and Resolutions as Recommended by the City Clerk.
Renewal**

ITEM 4c(1) Class C Liquor License for JOBSITE, LLC., dba JOBSITE, 928Maiden Ln.

ITEM 4c(2) Class C Liquor License for HMDS Inc., dba Grizzly's South Side Pub, 1210 Highland Court

ITEM 4c(3) Class C Liquor License for TLC Ominibus, Inc., dba Forbidden Planet, 111 S. Dubuque St.

ITEM 4c(4) Special Class C Liquor License for FilmScene, dba FilmScene, 118 E. College St., Suite 101

ITEM 4c(5) Outdoor Service Area for FilmScene, dba FilmScene, 118 E. College St., Suite 101

- ITEM 4c(6) Class C Liquor License for Suzster, Inc., dba Club Car, The, 122 Wright St.
- ITEM 4c(7) Special Class C Liquor License for India Café Corporation, dba India Café, 227 E. Washington St.
- ITEM 4c(8) Class E Liquor License for Fareway Stores, Inc., dba Fareway Stores, Inc. #950, 2530 Westwinds Dr.
- ITEM 4c(9) Class E Liquor License for Fareway Stores, Inc., dba Fareway Stores, Inc. #034, 2765 Commerce Dr.
- New**
- ITEM 4c(10) Class C Liquor License for Restaurante Mexicano, dba El Senor Cactus, 1534 S. Gilbert St., Suite 100
- ITEM 4c(11) Class C Liquor License for Dai Holdings LLC., dba Mekong Asian Restaurant, 5 Sturgis Corner Dr. Suite 100
- ITEM 4c(12) Class C Liquor License for Avocado Mexican Bar & Grill, dba Avocado Mexican Bar & Grill, 1857 Lower Muscatine Road

ITEM 4d. Resolutions and Motions:

ITEM 4d(1) **ASPHALT RESURFACING PROJECT 2015 - RESOLUTION ACCEPTING THE WORK FOR THE ASPHALT RESURFACING PROJECT 2015.**

- ❖ Comment: The project has been completed by L.L. Pelling Company of North Liberty, Iowa, in substantial accordance with the plans and specifications. The Engineer's Report and Performance and Payment bonds are on file with the City Clerk (REVISED:)
- ❖
- ❖ Project Estimated Cost: \$ 576,000.00
- ❖ Project Bid Received: \$ 689,782.10
- ❖ Project Actual Cost: \$ 719,822.72

ITEM 4d(1) ~~ASPHALT RESURFACING PROJECT 2015 - RESOLUTION ACCEPTING THE WORK FOR THE ASPHALT RESURFACING PROJECT 2015.~~

~~Comment: The project has been completed by L.L. Pelling Company of North Liberty, Iowa, in substantial accordance with the plans and specifications. The Engineer's Report and Performance and Payment bonds are on file with the City Clerk.~~

- ~~❖ Project Estimated Cost: \$ 576,000.00~~
- ~~❖ Project Bid Received: \$ 689,782.10~~
- ~~❖ Project Actual Cost: \$ 716,140.37~~

ITEM 4d(2) **2016 DRAIN TILE - RESOLUTION ACCEPTING THE WORK FOR THE 2016 DRAIN TILE PROJECT.**

Comment: The project has been completed by Petra Excavating of Wayland, Iowa, in substantial accordance with the plans and specifications. The Engineer's Report and Performance and Payment bonds are on file with the City Engineer.

- ❖ Project Estimated Cost: \$ 54,455.00
- ❖ Project Bid Received: \$ 49,985.00
- ❖ Project Actual Cost: \$ 72,175.81

ITEM 4d(3) **IOWA CITY FIBER INFRASTRUCTURE SOUTH PART 2 CABLE INSTALLATION - RESOLUTION ACCEPTING THE WORK FOR THE IOWA CITY FIBER INFRASTRUCTURE SOUTH PART 2 CABLE INSTALLATION.**

Comment: The project has been completed by Advanced Electrical Services of Iowa City, Iowa, in substantial accordance with the plans and specifications. The Engineer's Report and Performance and Payment bonds are on file with the City Engineer.

❖ Project Estimated Cost:	\$	42,580.00
❖ Project Bid Received:	\$	38,750.00
❖ Project Actual Cost:	\$	38,750.00

ITEM 4d(4) **ROBERT A. LEE RECREATION CENTER BOILER REPLACEMENT - RESOLUTION ACCEPTING THE WORK FOR THE ROBERT A. LEE RECREATION CENTER BOILER REPLACEMENT PROJECT 2015.**

Comment: This project was authorized under emergency proceedings on November 10, 2015. The project has been completed by Pipe Pro Inc. of Cedar Rapids, Iowa, in substantial accordance with the plans and specifications. The Engineer's Report and Performance and Payment bonds are on file with the City Clerk.

❖ Project Bid Received:	\$	215,100.00
❖ Project Actual Cost:	\$	220,300.00

ITEM 4d(5) **TRANSIT AVL SYSTEM - RESOLUTION AWARDING CONTRACT AND AUTHORIZING THE CITY MANAGER TO SIGN AND THE CITY CLERK TO ATTEST A CONTRACT FOR AUTOMATIC VEHICLE LOCATION (AVL) SYSTEM FOR THE TRANSPORTATION AND RESOURCE MANAGEMENT DEPARTMENT.**

Comment: This joint RFP between the City of Coralville, University of Iowa and the City of Iowa City for an Automatic Vehicle Location (AVL) system was issued by the City of Iowa City, acting as the lead agency, and proposals were received on January 27, 2016. Ten proposals were received and the Transportation and Resource Management Department recommends award of the contract to Syncromatics Corporation. Previously all three agencies contracted for these services with Nextbus, Inc. All three agencies will continue to utilize Bongo as the customer facing solution for passenger real-time information services. One-time costs for installation, hardware, etc. are estimated to be \$155,000 with operating costs averaging an estimated \$30,000 per year for the five years of the contract and will be paid for through transit operations.

ITEM 4d(6) **CREDIT CARD PROCESSING SERVICES - RESOLUTION AUTHORIZING A CONTRACT FOR CREDIT CARD PROCESSING SERVICES WITH US BANK.**

Comment: This resolution will approve a credit card processing service contract with US BANK through March 31, 2021 and allow the City Manager to execute five subsequent annual renewals as appropriate. This contract is through a cooperative purchasing agreement with the University of Iowa and University of Northern Iowa and will lower the City's discount

rate from .095% to .06%. The estimated annual cost is approximately \$400,000.

ITEM 4d(7) **BOND DISCLOSURE AND POST ISSUANCE COMPLIANCE POLICIES - RESOLUTION ADOPTING THE BOND DISCLOSURE AND POST ISSUANCE COMPLIANCE POLICIES FOR THE CITY OF IOWA CITY.**

Comment: This resolution will approve the Bond Disclosure and Post Issuance Compliance policies. The City previously adopted a Post-Issuance Compliance Policy in April 2012 but has not previously issued a Bond Disclosure Policy. These policies are encouraged by the Federal agencies to assist the City in complying with Federal laws and regulations.

ITEM 4e Setting Public Hearings:

ITEM 4e(1) **(REVISED) SIGN CODE – MOTION SETTING A PUBLIC HEARING FOR NOVEMBER 1 ON AN ORDINANCE AMENDING TITLE 14, ZONING CODE, SECTION 2G, FORM-BASED DEVELOPMENT STANDARDS; SECTION 5B, SIGN REGULATIONS; SECTION 3C, DESIGN REVIEW; AND SECTION 9C, SIGN DEFINITIONS.**

ITEM 4e(1) ~~**SIGN CODE – MOTION SETTING A PUBLIC HEARING FOR NOVEMBER 1 ON AN ORDINANCE AMENDING ZONING CODE SECTION 14-5B, SIGN REGULATIONS; SECTION 14-3C, DESIGN REVIEW; AND SECTION 14-9C, SIGN DEFINITIONS.**~~

Comment: At its October 6 meeting, by a vote of 7-0, the Planning and Zoning Commission recommended approval of these zoning code amendments. Approval will implement amendments related to the Iowa City Downtown District Storefront Design and Signage guidelines, and the Reed v. Town of Gilbert (2015) Supreme Court decision related to regulation of sign content.

ITEM 4e(2) **PLEASANT VALLEY AND NAGLE LUMBER – MOTION SETTING A PUBLIC HEARING FOR NOVEMBER 1 ON AN ORDINANCE CONDITIONALLY REZONING PROPERTY FROM INTENSIVE COMMERCIAL (CI-1) ZONE AND PUBLIC (P-1) TO RIVERFRONT CROSSINGS – SOUTH GILBERT DISTRICT (RFC-SG) ZONE FOR APPROXIMATELY 3.25-ACRES LOCATED AT 1225 S. GILBERT STREET AND APPROXIMATELY 1.3-ACRES LOCATED AT 1301 S. GILBERT STREET AND TO AMEND THE CONDITIONAL ZONING AGREEMENT FOR AN APPROXIMATELY 3.97 ACRE PROPERTY LOCATED AT 1201 S. GILBERT STREET. (REZ16-00002)**

Comment: At its October 6 meeting, by a vote of 7-0, the Planning and Zoning Commission recommended approval of this rezoning. Approval will allow this property to redevelop according to the provisions of the Riverfront Crossings Form-based Code and will provide for the dedication of right-of-way necessary to implement the Riverfront Crossing Master Plan.

ITEM 4f Correspondence:

- ITEM 4f(1) Tom Newport: **Iowa City doesn't have Uber or Lyft? [Staff response included]**
- ITEM 4f(2) Lara Laurentis (x2): **Auto Response from City Council of Iowa City Mailbox (suggestions for next meeting) [Staff responses included]**
- ITEM 4f(3) Mary Gravitt: **Trash Removal [Staff responses included]**
- ITEM 4f(4) Jacob Simpson and Benjamin Nelson, UISG Council Liaisons: **Landlord – Tenant Relations and Housing Quality**
- ITEM 4f(5) Linda Dykstra, Iowa City Landscaping: **Sycamore Project [Staff response included]**
- ITEM 4f(6) Angela Lambertz; Tracy Randall Titus; Jane Stewart; Rachel Messer; Lisa Heineman; Cole Cecil; Joel Gilbertson-White (x2), **Audrey Keith: Police Chief Search [Staff response included]**
- ITEM 4f(7) Kyle Sieck (x2), Iowa City Mobile Vending Association: **Temporary Pilot Program for licensed food trucks**
- ITEM 4f(8) Dennis Byrnes (x2): **Ref On Street parking on Ireland Drive and Killarney Road Proposal [See 4f(9)] [Staff response included]**
- ITEM 4f(9) Acting Sr. Transportation Engr. Planner: **Installation of NO PARKING ANY TIME signs on the north side of Killarney Road and the south side of Ireland Drive.**
- ITEM 4f(10) Acting Sr. Transportation Engr. Planner: **Installation of (1) STOP sign at the intersection of Herbert Hoover Highway SE and Hanks Drive, (1) STOP sign at the intersection of Herbert Hoover Highway SE and Thunder Gulch Road, (2) YIELD signs at the intersection of Hanks Drive and Unbridled Avenue, (2) YIELD signs at the intersection of Hanks Drive and Grindstone Drive, (2) YIELD signs at the intersection of Thunder Gulch Road and Barbaro Avenue, (2) YIELD signs at the intersection of Thunder Gulch Road and Unbridled Avenue.**
- ITEM 4f(11) Acting Sr. Transportation Engr. Planner: **Removal of NO PARKING ANY TIME EXCEPT SATURDAY EVENING AND SUNDAY MORNING signs, north of Lower West Branch Road SE, on the west side of Brentwood Drive, the east side of Broadmoor Lane and the north side of St. Patrick Drive.**
- ITEM 4f(12) (Addition) Rick Kaster: **Welcome to Iowa City**
- ITEM 4f(13) (Addition) Tracey Achenbach regarding **Media Event – State Housing Trust Fund Marks 20,000th Affordable Housing United Assisted, located in Iowa City.**

END OF CONSENT CALENDAR

Action: Approved, 7/0, as amended _____

- ITEM 5. COMMUNITY COMMENT (ITEMS NOT ON THE AGENDA). [UNTIL 8 PM]**
 Community Comment will be continued, if necessary, prior to "City Council Information" item at the end of the meeting agenda.
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ITEM 6. PLANNING AND ZONING MATTERS**ITEM 6a **PRECINCT BOUNDARIES - ORDINANCE AMENDING 1-9-3B OF THE CODE OF ORDINANCES TO ADD RECENTLY ANNEXED PROPERTY TO PRECINCTS 8, 10 AND 24. (SECOND CONSIDERATION)****

Comment: This ordinance adds five areas annexed since January 1, 2013 to adjacent precincts (precincts 8, 10 and 24). A map showing the locations of the areas is included in Council packet for the October 4 meeting. Staff requests expedited action.

Action: Waived second consideration, 7/0; _____
Adopted, 7/0 _____

ITEM 7. **NATURAL AREAS MASTER PLAN - RESOLUTION APPROVING, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AND THE CITY CLERK TO ATTEST AN AGREEMENT BY AND BETWEEN THE CITY OF IOWA CITY AND APPLIED ECOLOGICAL SERVICES OF PRIOR LAKE, MINNESOTA TO PROVIDE CONSULTANT SERVICES FOR IOWA CITY NATURAL AREAS MASTER PLAN PROJECT.**

Comment: This agreement authorizes Applied Ecological Services, Inc. to provide consultant services related to the Natural Areas Master Plan Project. The project generally includes assessing ecological health of city-owned natural areas and developing a 10-year Master Plan for natural area improvements and maintenance that maximizes the ecological health and benefits of these areas. The total cost of consulting services for this project is \$125,045 and will be funded by the Storm Water Management Fund over a period of two fiscal years.

Action: Approved, 7/0 _____

ITEM 8. **HOUSING TRUST FUND CONTRIBUTION - RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE HOUSING TRUST FUND OF JOHNSON COUNTY FOR THE CONTRIBUTION AND USE OF \$500,000 FOR AFFORDABLE HOUSING.**

Comment: Pursuant to Council's earlier discussion at a work session, this resolution provides the Housing Trust Fund of Johnson County with \$500,000 for affordable housing. The MOU will require that all funds be used to serve households under 80% of median income, the units must be located within the corporate limits of Iowa City, and the location must comply with the Affordable Housing Location Model, as amended annually.

Action: Approved, 7/0 _____

ITEM 9. MIDAMERICAN ENERGY ELECTRIC FRANCHISE - ORDINANCE RENEWING THE FRANCHISE GRANTED TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ACQUIRE, CONSTRUCT, ERECT, MAINTAIN AND OPERATE IN THE CITY OF IOWA CITY, AN ELECTRIC LIGHT AND POWER SYSTEM TO FURNISH, DELIVER AND SELL ELECTRIC ENERGY TO SAID CITY AND ITS INHABITANTS FOR A PERIOD OF TEN YEARS. (SECOND CONSIDERATION)

Comment: The current electric franchise with MidAmerican Energy was granted by ordinance effective December 4, 2007, which is now codified at Chapter 1, Title 12 of the City Code. The ordinance embodies the terms of the agreement reached by the City and MidAmerican in the negotiations preceding its adoption. The franchise has a maximum 25 year term as allowed by Iowa law but provides that if the Council does not adopt a resolution to continue the franchise "more than one, but less than two years prior to the tenth anniversary" the franchise will terminate. Thus, the franchise will terminate unless Council acts to renew it before December 4, 2016.

Action: Second consideration, 7/0 _____

ITEM 10. MIDAMERICAN ENERGY GAS FRANCHISE - ORDINANCE RENEWING THE FRANCHISE GRANTED TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ACQUIRE, CONSTRUCT, ERECT, MAINTAIN AND OPERATE IN THE CITY OF IOWA CITY, A NATURAL GAS SYSTEM TO FURNISH, DELIVER AND SELL NATURAL GAS TO SAID CITY AND ITS INHABITANTS FOR A PERIOD OF TEN YEARS. (SECOND CONSIDERATION)

Comment: The current gas franchise with MidAmerican Energy was granted by ordinance effective December 4, 2007, which is now codified at Chapter 2, Title 12 of the City Code. The ordinance embodies the terms of the agreement reached by the City and MidAmerican in the negotiations preceding its adoption. The franchise has a maximum 25 year term as allowed by Iowa law but provides that if the Council does not adopt a resolution to continue the franchise "more than one, but less than two years prior to the tenth anniversary" the franchise will terminate. Thus, the franchise will terminate unless Council acts to renew it before December 4, 2016.

Action: Second consideration, 7/0 _____

ITEM 11. SOLID WASTE CODE AMENDMENTS - ORDINANCE AMENDING TITLE 16, PUBLIC WORKS, CHAPTER 3, CITY UTILITIES, ARTICLE H, SOLID WASTE, TO REQUIRE APARTMENT BUILDINGS TO PROVIDE RECYCLING SERVICES TO TENANTS, ALLOW FOR THE CURBSIDE COLLECTION OF FOOD WASTE, PROHIBIT LANDFILLING OF TELEVISIONS AND COMPUTER MONITORS AND REQUIRE MATERIALS BEING DISPOSED OF AT THE LANDFILL TO BE SECURED. (FIRST CONSIDERATION)

Comment: This ordinance amends several areas of Title 16 of the City Code as it relates to solid waste operations. These changes will include four waste minimization strategy initiatives that were brought before City Council on June 6, 2016. These initiatives include mandatory multi-family recycling, curbside collection of food waste, prohibiting landfilling of televisions and computer monitors and requirement that materials being brought to the landfill for disposal be secured/covered.

Action: First consideration, 7/0 _____

- ITEM 12. COUNCIL PARKING - ORDINANCE AMENDING TITLE 3, "FINANCES, TAXATION AND FEES", CHAPTER 4, "SCHEDULE OF FEES, RATES, CHARGES, BONDS, FINES AND PENALTIES", SECTION 8, "PARKING VIOLATIONS" TO ADD A DESCRIPTION TO "PARKING RAMP FEES" STATING THAT COUNCIL MEMBERS WILL RECEIVE PARKING PERMITS AT NO CHARGE AND TO CHANGE THE TITLE OF THE SECTION TO "PARKING". (FIRST CONSIDERATION)**

Comment: This ordinance will codify the long-standing practice of providing parking permits to members of the City Council at no charge and change the title of Section 8 to "parking" as the section includes fees for parking as well as violations. The ordinance will be distributed in late handouts on Monday.

Action: First consideration, 7/0 _____

- ITEM 13. COUNCIL APPOINTMENTS. Applicants MUST reside in Iowa City and be 18 years of age unless specific qualifications are stated.**

ITEM 13a Airport Zoning Commission – One vacancy to fill an unexpired term upon appointment – December 21, 2021. (Term expired for Christine Douglas)

Action: No applications, re-advertise _____

ITEM 13b Airport Zoning Brd of Adjustment – One vacancy to fill an unexpired term, upon appointment - December 21, 2020. (Term expired for Keith Ruff)

Action: No applications, re-advertise _____

ITEM 13c Airport Zoning Brd. of Adjustment – One vacancy to fill an unexpired term, upon appointment - December 31, 2018. (Formerly advertised)

Action: No applications, re-advertise _____

ITEM 13d Historic Preservation Commission – One vacancy for a Jefferson St. representative to fill three-year term, March 29, 2016-July 1, 2019. (New District formed)

Action: No applications, re-advertise _____

- ITEM 14. ANNOUNCEMENT OF VACANCIES. Applicants MUST reside in Iowa City and be 18 years of age unless specific qualifications are stated. [Staff will not publish additional notices after a period of six publications; but will continue to advertise vacancies with postings and on the Council agenda. However, no additional publication costs will be incurred. More information may be found on the City website or in the City Clerk's office.]**

Previously Announced:

Appeals, Board of – One vacancy to fill a five-year term January 1, 2017- December 31, 2021. (Term expires for Mike McDonough)

Board of Adjustment – One vacancy to fill a five-year term, January 1, 2017 – January 1, 2020. (Term expires for Larry Baker)

Human Rights Commission – One vacancy to fill a three year January 1, 2017 – January 1, 2020. (Term expires for Paul Retish)

Parks and Recreation Commission – Two vacancies to fill four year terms January 1, 2017 – January 1, 2021. (Terms expire for Suzanne Bentler and Maggie Elliott)

Public Art Advisory Committee – Two vacancies to fill three-year terms, January 1, 2017 – January 1, 2020. (Term expires for William Nusser and Brent Westpahl)

Senior Center Commission – Two vacancies to fill three-year terms, January 1, 2017 – December 21, 2020. (Term expires for Jack R. Hobbs and Jay Honohan)

Telecommunications Commission – One vacancy, to fill an unexpired term, upon appointment – July 1, 2017. (Alexa Homewood-Weldon resigned)

APPLICATIONS MUST BE RECEIVED BY 5:00P.M., WEDNESDAY, October 26, 2016.

Senior Center Commission – One vacancy to fill an unexpired term, upon appointment – December 21, 2018. (Joylene Beadleston resigned)

APPLICATIONS MUST BE RECEIVED BY 5:00 P.M., WEDNESDAY, November 9, 2016

ITEM 15. COMMUNITY COMMENT [IF NECESSARY] (ITEMS NOT ON THE AGENDA).

ITEM 16. CITY COUNCIL INFORMATION

(Meeting Schedule; Pending Work Session Topics; Upcoming Community Events/Council Invitations)

ITEM 17. REPORT ON ITEMS FROM CITY STAFF.

- a) City Manager.
- b) City Attorney.
- c) City Clerk.

ITEM 18. ADJOURN (8:15 P.M.)
