

December 12, 2017

Proceedings of the City Council of University Heights, Iowa, held at the Community Center, 1302 Melrose Avenue, subject to approval by the Council at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

REGULAR MEETING

Mayor From called the December 2017 meeting of the University Heights City Council to order at 7:00 p.m.

Present: Mayor From. Council Members: Mike Haverkamp, Jim Lane, Dotti Maher (late), Silvia Quezada and Jerry Zimmermann. Staff present: Attorney Steve Ballard, City Clerk Chris Anderson, Engineer Josiah Bilskemper, Police Chief Kris Lyon and Treasurer Lori Kimura. Also present were: Pat Bauer, Steve Boyd, Will Downing, Jim Dreusicke, Nick Herbold, Jim Glasgow, Jase Humphrey, Catherine Lane, Stan Laverman, Virginia Miller, Ben Mitchell, Liesa Moore, Paul Moore, Daniel Murray, Chris Nicknish, Mike Ritchie, Melvin Shaw, Erin Sheffield, Greg Stiltner, Ken Yeggy and Pat Yeggy.

The minutes of the November 14, 2017 regular council meeting were approved by unanimous consent. The minutes for the November 30, 2017 and for the December 4, 2017 special council meetings were tabled until the next council meeting.

PUBLIC HEARING - ZONING ORDINANCE CHANGES. PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CITY'S ZONING ORDINANCE (NO. 79) CONCERNING THE FOLLOWING:

- REGULATIONS AND PERMITTING FEES FOR USE OF CITY RIGHT-OF-WAY;
- DEFINING AND REGULATING "ROOMING HOUSES"; DEFINING AND REGULATING "PARKING LOTS"; REGULATING PAVING AND PARKING ON REAR AND SIDE YARDS IN THE R-1 ZONE; AMENDING OTHER PARKING REGULATIONS; RESTRICTING THE NUMBER OF RENTAL PERMITS THAT MAY BE ISSUED IN PARTICULAR NEIGHBORHOODS;
- DESCRIBING THE REAL PROPERTY IN THE CH COMMERCIAL HOTEL ZONE;
- MODIFYING SETBACKS IN THE CH COMMERCIAL HOTEL ZONE; AND
- OTHER RELATED CHANGES.

Mayor From called the public hearing on the zoning ordinance changes to order at 7:01 p.m. The following individuals addressed the council:

Mike Ritchie - 20 Olive Court	Jim Dreusicke - 31 Leamer Court,
Erin Sheffield - 266 Marietta Avenue	Melvin Shaw - 21 George Street

Mayor From closed the public hearing at 7:37 p.m.

PUBLIC HEARING - COMMERCIAL HOTEL PUD DEVELOPMENT APPLICATION. PUBLIC HEARING ON PUD DEVELOPMENT APPLICATION BY UNIVERSITY LAKE PARTNERS II, LLC TO DEVELOP REAL PROPERTY KNOWN LOCALLY AS 901 MELROSE AVENUE, 905 MELROSE AVENUE, AND 909 MELROSE AVENUE AS A HOTEL.

Mayor From called the public hearing on the PUD Development Application to order at 7:38 p.m. Attorney Ballard stated University Lake Partners II, LLC, has been revising and finalizing its Commercial Hotel PUD Development Application. Once it is finalized, it will be circulated to council and staff for review.

MOTION by Maher, seconded by Quezada, to adjourn the public hearing on the PUD Development application. **Carried.**

Haverkamp - Aye	Lane - Aye
Maher - Aye	Quezada - Aye
Zimmermann- Aye	

Mayor From closed the public hearing at 7:39 p.m.

Mayor From reopened the regular council meeting at 7:40 p.m.

Council will hold a special council meeting on December 21, 2017, at 7:00 p.m., to discuss the PUD for the hotel project.

Public Comments: Pat Bauer, 338 Koser Avenue, Mike Ritchie, 20 Olive Court, and Paul Moore, 1000-1006 Melrose Avenue addressed the council with their concerns.

Virginia Miller, chair of the Tree Board, updated the council on the tree removal project.

Updates of One University Place Construction: No report from the OUP development team. No report from Glenn Siders.

ULP Hotel Project:

MOTION by Lane, to approve first consideration of Ordinance No. 220, amending the Zoning Ordinance (No. 79) to reduce required setbacks in the CH Commercial Hotel Zone. Motion died due to lack of a second. Council will consider at the special meeting.

Consideration of Resolution No. 17-48, establishing the University Heights Neighborhood Stabilization Program, was tabled until the special council meeting.

Consideration of Resolution No. 17-49, authorizing the mayor to sign and the clerk to attest an amendment to the Conditional Zoning Agreement entered into effective September 12, 2017, was tabled until the special council meeting.

Mayor's Report: A written report was presented. From stated she is reviewing appointments to various city committees. Any citizen interested in serving on a committee should contact the mayor.

The city will participate in the annual Severson Charity Challenge sponsored by MPOJC. The city has chosen the Ronald McDonald House of Iowa City to receive the city's donations. Collection boxes will be located in the Community Center.

A Certificate of Appreciation was presented to outgoing council members Mike Haverkamp, Jim Lane and Jerry Zimmermann. From thanked them for their service to the community

Chairman Pat Bauer updated the council on the Zoning Commission meeting held on December 5th.

Housing Inspector Report: A verbal report was presented.

MOTION by Quezada, and seconded by Lane to approve first consideration of Ordinance No. 217, amending the Zoning Ordinance (No. 79) to define "rooming houses" and prohibit them in certain zones; to limit the number of rental permits that may be issued in particular neighborhoods; to authorize the Board of Adjustment to consider exceptions to minimum area requirements for bedrooms in certain circumstances; and to make related changes. Council discussion.

Council member Quezada requested to withdraw the motion. Council consensus to withdraw the motion.

MOTION by Quezada, and seconded by Lane, to suspend, with regard to Ordinance No. 217, 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.**

Haverkamp - Aye	Lane - Aye
Maher - Aye	Quezada - Aye
Zimmermann- No	

MOTION by Quezada, and seconded by Haverkamp to approve final consideration of Ordinance No. 217, amending the Zoning Ordinance (No. 79) to define "rooming houses" and prohibit them in certain zones; to limit the number of rental permits that may be issued in particular neighborhoods; to authorize the Board of Adjustment to consider exceptions to minimum area requirements for bedrooms in certain circumstances; and to make related changes. **Carried.**

Haverkamp - Aye	Lane - Aye
Maher - Aye	Quezada - Aye
Zimmermann- No	

MOTION by Quezada, and seconded by Lane, to suspend, with regard to Ordinance No. 218, 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.**

Haverkamp - Aye	Lane - Aye
Maher - Aye	Quezada - Aye
Zimmermann- No	

MOTION by Quezada, and seconded by Maher to approve final consideration of Ordinance No. 218, amending the Rental Housing Code (Ordinance No. 110) to prohibit rental permits for “rooming houses” where prohibited by the Zoning Ordinance; to impose parking regulations; to prohibit rental permits where the square footage of bedrooms in a dwelling exceeds a maximum percentage of floor space; to require that bedrooms be of a minimum size; and to make related changes. **Carried.**

Haverkamp - Aye	Lane - Aye
Maher - Aye	Quezada - Aye
Zimmermann– No	

MOTION by Quezada, and seconded by Lane, to suspend, with regard to Ordinance No. 219, 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.**

Haverkamp - Aye	Lane - Aye
Maher - Aye	Quezada - Aye
Zimmermann– No	

MOTION by Quezada, and seconded by Maher to approve final consideration of Ordinance No. 219, amending the Building Code and Residential Housing Code (Ordinance No. 192) to require that bedrooms be a minimum of 100 square feet and to provide that bedroom in dwellings that do not have rental permits may apply for an exception so long as bedroom are a minimum of 70 square feet; and to make related changes. **Carried.**

Haverkamp - Aye	Lane - Aye
Maher - Aye	Quezada - Aye
Zimmermann– No	

MOTION by Quezada, and seconded by Haverkamp, to approve Resolution No. 17-50, imposing a moratorium on issuance of new rental permits to allow the city council additional time to consider and adopt changes to city ordinances related to rental properties. **Carried.**

Haverkamp - Aye	Lane - No
Maher - Aye	Quezada - Aye
Zimmermann– No	

Legal Report: A written report was presented.

MOTION by Quezada, and seconded by Haverkamp, to suspend, with regard to Ordinance No. 215, 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.**

Haverkamp - Aye	Lane - Aye
Maher - Aye	Quezada - Aye
Zimmermann– No	

MOTION by Quezada, and seconded by Maher, to approve final consideration of Ordinance No. 215, regulating use of city right-of-way for small cell technology and equipment and related uses and establishing a permitting process. **Carried.**

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

Clerk’s Report: A written report was presented. Council consensus, to allow Clerk Anderson an additional week, to receive three outstanding rental permits from the property owners.

Finance Report: A verbal report was presented.

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

Warrants
November 15, 2017 through December 12, 2017

Name	Amount	Name	Amount
Ryan Dahm	222.05	Terry Goerd	1,125.00
Joshua Kite	1,360.32	Iowa City Press-Citizen	551.47
Nathan Petersen	1,352.66	CenturyLink	89.30
James Sandifer	1,085.01	Kieck's Career Apparel	1,970.72
Nicholas Sherman	199.90	Shive Hattery	5,031.90
Levio Simcox	1,484.18	Johnson County Refuse, Inc.	17,517.66
Jeremy Stenda	147.42	Siders Development	1,350.00
Kristofer Lyon	1,641.27	Westport Touchless Autowash	208.00
Harold Plate	199.99	Winkel, Parker & Foster, CPA PC	995.00
MidAmerican Energy	168.67	City of Iowa City	3,712.69
Lori Kimura	331.68	Ahlers & Cooney PC	55.00
Christine Anderson	493.13	Mediacom	307.85
Collins Community Credit Union	40,000.00	Old Republic Surety Group	133.00
University of Iowa Community Credit Union	25,000.00	Racom Corporation	110.00
Ryan Dahm	288.27	US Cellular	227.82
Joshua Kite	1,226.59	VISA	735.66
Nathan Petersen	1,150.10	VISA	224.51
James Sandifer	1,170.03	Michael Haverkamp	47.64
Levio Simcox	1,616.49	Internal Revenue Service	203.80
Kristofer Lyon	1,641.27	IPERS	3,430.89
Harold Plate	124.60	IPERS	228.84
Paul Moore	50.00	Internal Revenue Service	2,887.36
Verizon Wireless	30.18	Wellmark BC/BS	1,649.81
One University Place South Condo Assoc.	433.58	Internal Revenue Service	2,747.22
Internet Navigator	24.95	Iowa Municipalities Workers' Compensation	968.00
Brad Wiley	500.00	MidAmerican Energy	51.81
Stan Laverman	600.00	MidAmerican Energy	31.51
Black Squirrel Urban Forestry	10,455.00	MidAmerican Energy	26.32
Leff Law Firm, L.L.P.	20,609.59	MidAmerican Energy	452.27
CR Signs, Inc	3,920.00	Iowa Prison Industries	647.05

General Fund - \$ 151,920.15

Road Use Tax - \$ 1,208.96

Employee Benefits Fund - \$ 12,115.92

Total Receipts \$ 63,280.59

Total Warrants \$ 165,245.03

Sanitation: A verbal report was presented by council member Quezada.

MOTION by Quezada and seconded by Haverkamp, to approve second consideration of Ordinance No. 214, establishing the University Heights Culture, Art and Recreation Commission. **Carried.**

Haverkamp - Aye Lane - Aye
 Maher - Aye Quezada - Aye
 Zimmermann - Aye

Volunteers are needed for the 2017 Luminary Walk on December 31st. Any citizens interested in volunteering or donating to the Luminary Walk should contact council member Quezada.

The 2017 Farmers Market report was tabled until the January council meeting.

Community Protection: A written report was presented by Police Chief Kris Lyon. No report from council members Maher and Zimmermann.

MOTION by Haverkamp and seconded by Zimmermann, to approve second consideration of Ordinance No. 216, amending Ordinance No. 120 to grant the Chief of Police authority to dispose of certain citations for illegal parking. **Carried.**

Haverkamp - Aye Lane - Aye
 Maher - No Quezada - No
 Zimmermann - Aye

MOTION by Zimmermann and seconded by Lane, to dismiss the Shymansky parking ticket. **Not Carried.**

Haverkamp - No	Lane - Aye
Maher - No	Quezada - No
Zimmermann– Aye	

MOTION by Lane and seconded by Zimmermann, to dismiss the Schrock parking ticket. **Not Carried.**

Haverkamp - No	Lane - No
Maher - No	Quezada - No
Zimmermann– Aye	

Streets and Sidewalks: City Engineer Bilskemper presented a written report. No report from council members Maher and Zimmermann.

Council consensus to change the existing light over the Melrose and Koser/Golfview traffic signal with an LED fixture.

eGovernment: A written report was presented. Haverkamp stated he is re-designing the city website.

Announcements: Council will hold a special council meeting on December 21, 2017, at 7:00 p.m., to discuss the PUD for the hotel project.

The meeting was adjourned **by unanimous consent at 10:22 p.m.**

Attest: Christine Anderson, City Clerk

Approved: Louise A. From, Mayor