Subject to change as finalized by the City Clerk. For a final official copy, contact the City Clerk's Office 356-5041

If you will need disability-related accommodations in order to participate in this program/event, please contact Kellie Fruehling at 319-356-5041, kellie-fruehling@iowa-city.org. Early requests are strongly encouraged to allow sufficient time to meet your access needs.

Iowa City
City Council - Formal Agenda
Regular Formal Meeting
March 7, 2023 - 6:00 PM
Emma J. Harvat Hall
410 E. Washington St.



www.icgov.org

City of Iowa City Land Acknowledgment can be found at: icgov.org/landacknowledgement

Meeting Rules can be found at: icgov.org/meetingrules

You can watch the meeting on cable channel 4 (118.2 QAM) in Iowa City, University Heights and Coralville, or you can watch it online at any of the following websites:

- https://citychannel4.com/live
- https://www.youtube.com/user/citychannel4/live
- https://facebook.com/CityoflowaCity

In order to encourage greater input from the public, the Iowa City Council intends to offer the opportunity to participate in the meeting remotely. However, this meeting is an in-person meeting. In the event of technological problems, the meeting will continue in-person, so those wishing to ensure their ability to participate should attend the meeting in-person.

If you wish instead to participate remotely, you may attempt to do so by joining the meeting via Zoom by going to the link below to visit the Zoom meeting's registration page and submit the required information.

Once the registration is complete, you will receive an email message with a link to join the meeting. If you are asked for a meeting or webinar ID, enter the ID number found in the email.

If you have no computer or smartphone, or a computer without a microphone, you can call in by phone by dialing (312) 626-6799 and entering the meeting ID below when prompted.

Zoom link: https://us06web.zoom.us/webinar/register/WN\_cfjv1drbRPOenK\_F8Fk9Jg Meeting ID: 851 6804 3456

If you wish to use presentation materials with your comments, please provide them to the City Clerk at kellie-fruehling@iowa-city.org at least 24 hours before the meeting. Your materials will be presented for you.

- 1. Call to Order
- 2. Consent Calendar Approval of Council Actions (subject to corrections, as recommended by the City Clerk)
  - 2.a Work Session Minutes: February 21
  - 2.b Formal Summary of Minutes: February 21
- 3. Consent Calendar Receive and File Minutes
  - 3.a Airport Commission: January 19
  - 3.b Civil Service Commission: February 24
  - 3.c Climate Action Commission: January 9
  - 3.d Housing and Community Development Commission: January 19 [See Recommendations]
  - 3.e Human Rights Commission: January 24
  - 3.f Library Board of Trustees: January 26
- 4. Consent Calendar Permit Motions and Resolution (as recommended by the City Clerk)
  - 4.a Liquor License Renewal
    - 1. Class E Retail Alcohol License for Hawkeye Star 1 Inc., dba Kirkwood Liquor and Tobacco, 300 Kirkwood Ave.
    - 2. Class E Retail Alcohol License for Kwik Trip, Inc., dba Kwik Spirits #537, 923 S. Riverside Dr.
  - 4.b New Cigarette Permit
    - 1. Resolution to issue Cigarette Permit to Casey's General Stores, Inc., dba Casey's #4369, 206 E. Benton St.
    - 2. Resolution to issue Cigarette Permit to Casey's General Stores, Inc., dba Casey's #4367, 2410 Mormon Trek Blvd.
    - 3. Resolution to issue Cigarette Permit to Casey's General Stores, Inc., dba Goodstop By Casey's #4366, 525 Highway 1 W.
    - 4. Resolution to issue Cigarette Permit to Mini Paradise, dba Mini Paradise, 341 S. Linn St.
    - 5. Resolution to issue Cigarette Permit to Crown Liquor, LLC, dba Crown Liquor & Smoke, 19 Hwy 1 W.
- 5. Consent Calendar Resolutions and Motions
  - 5.a Cemetery Fees

Resolution establishing a schedule of rates and charges for Oakland Cemetery and rescinding Resolution No. 16-53.

Comment: The Iowa City Code provides rates and charges for services and burial spaces for Oakland Cemetery shall be established by Council resolution. Council

last adopted a full schedule of rates and charges in 2016 although some changes have since been adopted as part of the Council resolution approving the Parks and Rec fee schedule.

#### 5.b Rochester Avenue Electrical Conversion

Resolution accepting the work for the Rochester Avenue Electrical Conversion Project.

Comment: The project has been completed by Price Electric of Robins, 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: \$ 45,000.00
Project Bid Received: \$ 73,400.00
Project Actual Cost: \$ 73,400.00

### 5.c Iowa City Senior Center Exterior Building Envelope Preservation, Restoration and Rehabilitation

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 The Franks Design Group, PC to provide engineering consultant services for the Iowa City Senior Center Exterior Building Envelope Preservation, Restoration and Rehabilitation Project.

Comment: This agenda item authorizes an agreement to provide consultant services for the Iowa City Senior Center Exterior Building Envelope Preservation, Restoration and Rehabilitation Project. The total cost of the services is \$294,370 and funds are available in the Senior Center Facility Exterior Improvements account #K1001.

#### 5.d Procurement â€" Aerial Bucket Truck

Resolution authorizing the procurement of one (1) new aerial bucket truck.

Comment: This Resolution will approve the procurement of one (1) new Versalift aerial bucket truck for Forestry Operations. Sourcewell cooperative contract 110421-TIM will be utilized for this procurement. Total purchase price is \$179,774.00 which exceeds the \$150,000.00 spending authority of the City Manager, and so requires Council approval.

#### 5.e J Street Sanitary Sewer Replacement

Resolution awarding contract and authorizing the Mayor to sign and the City Clerk to attest a contract for construction of the J Street Sanitary Sewer Replacement Project.

Comment: Bids for this project were received on Tuesday, February 28, 2023 and the following bids were received:

Dave Schmitt Construction Co. Cedar Rapids, IA \$ 541,552.00

All American Concrete West Liberty, IA \$ 544,345.50

Maxwell Construction Iowa City, IA \$ 598,506.00

Tschiggfrie Excavating Dubuque, IA Non-Responsive Bid

Public Works and Engineering recommend awarding the project to Dave Schmitt Construction Co. of Cedar Rapids, Iowa, Iowa. Funding is available through Account #V3101 – Annual Sewer Main Replacement.

- 6. Consent Calendar Setting Public Hearings
  - 6.a Setting Bond Public Hearing \$7,610,000 General Obligation Bonds
    Resolution fixing date for a meeting on the proposition of the issuance of not to
    exceed \$7,610,000 General Obligation Bonds of the City of Iowa City, State of
    Iowa (for essential corporate purposes) and providing for publication of notice
    thereof.
    - Comment: This resolution sets a public hearing for 6:00 pm on March 21, 2023 to receive public comment regarding issuance of up to \$7,610,000 General Obligation Bonds and authorizes the City Clerk to publish notice of hearing.
  - 6.b Setting Bond Public Hearing \$700,000 General Obligation Bonds
    Resolution fixing date for a meeting on the proposition of the issuance of not to
    exceed \$700,000 General Obligation Bonds of the City of Iowa City, State of Iowa
    (for general corporate purposes) and providing for publication of notice thereof.
    - Comment: This resolution sets a public hearing for 6:00 pm on March 21, 2023 to receive public comment regarding issuance of up to \$700,000 General Obligation Bonds and authorizes the City Clerk to publish notice of hearing.
  - 6.c Setting Bond Public Hearing \$700,000 General Obligation Bonds
    Resolution fixing date for a meeting on the proposition of the issuance of not to
    exceed \$700,000 General Obligation Bonds of the City of Iowa City, State of Iowa
    (for general corporate purposes) and providing for publication of notice thereof.
    - Comment: This resolution sets a public hearing for 6:00 pm on March 21, 2023 to receive public comment regarding issuance of up to \$700,000 General Obligation Bonds and authorizes the City Clerk to publish notice of hearing.
  - 6.d Setting Bond Public Hearing \$700,000 General Obligation Bonds
    Resolution fixing date for a meeting on the proposition of the issuance of not to
    exceed \$700,000 General Obligation Bonds of the City of Iowa City, State of Iowa
    (for general corporate purposes) and providing for publication of notice thereof.
    - Comment: This resolution sets a public hearing for 6:00 pm on March 21, 2023 to receive public comment regarding issuance of up to \$700,000 General Obligation Bonds and authorizes the City Clerk to publish notice of hearing.
  - 6.e Mercer Park Aquatic Center & Scanlon Gym Exterior Accessibility and Lighting Improvements
    - Resolution setting a public hearing on March 21, 2023 on project manual and estimate of cost for the construction of the Mercer Park Aquatic Center & Scanlon Gym Exterior Accessibility and Lighting Improvements Project, directing City Clerk

to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Comment: This agenda item begins the bidding process for the construction of the Mercer Park Aquatic Center & Scanlon Gym Exterior Accessibility and Lighting Improvements Project. The project involves exterior accessibility and lighting improvements along the main entrance of the facility. The estimated cost of construction is \$305,000 and funds are available in the Recreation Center Improvements accounts #R4351 and #R4330.

#### **End of Consent Calendar**

7. Community Comment [items not on the agenda (until 7 PM)]
Individuals will be provided 3 minutes to speak. The Community Comment period will end at 7:00 p.m. unless an extension is needed to meet a minimum 30 minutes of total time allocated for the Community Comment period.

The Mayor reserves the right to reduce the 3 minute period based on the number of individuals desiring to speak. Additional comments can be sent to the City Council via council@iowa-city.org or through the City Clerk's Office.

#### 8. Planning & Zoning Matters

8.a Rezoning - N. Dodge St. and N. Scott Blvd.

Ordinance conditionally rezoning approximately 3.87 acres of property located south of the N. Dodge St and N. Scott Blvd. intersection from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Development Overlay (OPD/CC-2) for approximately 2.04 acres and to Low Density Multi Family Residential with a Planned Development Overlay (OPD/RM-12) for approximately 1.83 acres (REZ22-0016). (Second Consideration)

Comment: On January 18, 2023 the Planning and Zoning Commission recommended approval of REZ22-0016 by a vote of 5-0 (Townsend and Wade absent) subject to conditions related to provisions of a landscape plan approved by the City Forester that shows trees replaced within the Scott Blvd. right-of-way, the dedication of a public access easement over pedestrian facilities adjacent to the Scott Blvd. public right of way that provide connectivity to public sidewalks, installation of a right turn lane along Scott Blvd. subject to approval by the City Engineer, installation of a pedestrian crossing with a refuge island on the southside of Dubuque Rd and Scott Blvd. subject to approval by the City Engineer, and no vehicular access shall be allowed onto N. Dodge St. Approval will allow for the development of commercial uses intended as eating establishments, an 8 unit mixed use building, and 9 attached single family units. Staff is requesting expedited action.

#### 9. Regular Formal Agenda

9.a Sale of 2021 Taylor Drive

Resolution authorizing conveyance of a single-family home located at 2021 Taylor Drive.

Comment: As part of the South District Program, the City purchased a duplex at

2021-2023 Taylor Drive, rehabilitated it, and converted it to a 2-unit condominium. The City has received an offer to purchase 2021 Taylor Drive for \$155,000 from an income-eligible household. The sale will provide affordable owner-occupied housing.

- 1. Public Hearing
- 2. Consider a Resolution

#### 9.b Rohret South Trunk Sanitary Sewer

Resolution approving project manual and estimate of cost for the construction of the Rohret South Trunk Sanitary Sewer Project, establishing amount of bid security to accompany each bid, directing City Clerk to post notice to bidders, and fixing time and place for receipt of bids.

Comment: This project includes: a new 30" trunk sanitary sewer main (from Burry Drive to the west side of US Highway 218), sanitary sewer manholes, connections of local sanitary sewer pipes, sanitary sewer service reconnection, water main valves, street pavement, driveways, seeding/sodding, and sidewalk. The estimated construction cost is \$3,475,000 and will be funded by the wastewater fund.

- 1. Public Hearing
- 2. Consider a Resolution

#### 9.c Willow Creek Trail Replacement

Resolution approving project manual and estimate of cost for the construction of the Willow Creek Trail Replacement Project, establishing amount of bid security to accompany each bid, directing City Clerk to post notice to bidders, and fixing time and place for receipt of bids.

Comment: This project includes the replacement of approximately 0.9 miles of the Willow Creek Trail from Benton Street to Willow Creek Drive, including a spur of the trail connecting to Aber Ave and several connecting sidewalks and curb ramps. The estimated construction cost is \$720,500 which is available in the Willow Creek Trail Replacement Project account #R4387.

- 1. Public Hearing
- 2. Consider a Resolution

#### 9.d Library Parking

Ordinance Amending Title 9, Entitled "Motor Vehicles and Traffic," Chapter 4, Entitled "Parking Regulations," to Return Library Parking to a 20-Minute Limit. (Second Consideration)

Comment: There are 6 parking spots in the front of the library designated for library parking. Prior to COVID, 5 spaces allowed patrons to park for 20 minutes and 1 space allowed patrons to use the outside drop box for 5 minutes. To facilitate curbside service for library patrons during the pandemic, the City Code was amended to limit parking to 10 minutes in all 6 spaces. Both library staff and patrons recommend returning to the pre-COVID limits. Staff is requesting expedited action.

#### 9.e Ukraine Resolution

Resolution in continued support of Ukrainian sovereignty, one year following the illegal and immoral invasion of Ukraine by the Russian military; calling for the immediate withdrawal of Russian forces and for peace in Ukrainian sovereign territory.

#### Comment:

This resolution was drafted by Councilor Dunn in consultation with members of the City Council and expresses continued and clear support for Ukraine and its leaders one year following the illegal invasion and annexation of Ukraine and its people.

#### 10. Council Appointments

#### 10.a Airport Zoning Commission (Iowa City Representative)

Airport Zoning Commission (Iowa City Representative) - One vacancy to fill a sixyear term, January 1, 2022 - December 31, 2027. (Term expired for Christine Ogren)

#### 11. Announcement of Vacancies - New

#### 11.a Announcement of Vacancies - New

Parks & Recreation Commission - One vacancy to fill an unexpired term, upon appointment - December 31, 2024. (Christopher Odinet resigned) Correspondence included in Council packet.

Applications must be received by 5:00 P.M., Tuesday, April 11, 2023.

#### 12. Announcement of Vacancies - Previous

### 12.a Announcement of Vacancies - Previous Civil Service Commission - One vacancy to fill an unexpired term, upon

appointment - April 6, 2026. (Ann Rhodes Resigned)

#### Applications must be received by 5:00 p.m., Tuesday, March 14, 2023.

Historic Preservation Commission (E. College St.) - One vacancy to fill an unexpired term, upon appointment - June 30, 2024. (Cole Eckhardt Resigned)

Historic Preservation Commission (Jefferson St.) - One vacancy to fill a three-year term, July 1, 2022 - June 30, 2025 (formerly advertised as unexpired term -- Lyndi Kiple resigned).

Historic Preservation Commission (Woodlawn Ave.) - One vacancy to fill an unexpired term, upon appointment - June 30, 2024. (Kevin Larson resigned)

Vacancies will remain open until filled.

#### 13. City Council Information

- 14. Report on Items from City StaffCity Manager's OfficeCity AttorneyCity Clerk
- 15. Adjourn

Item Number: 2.a.



March 7, 2023

Work Session Minutes: February 21

Attachments: Work Session Minutes: February 21

Date: March 1, 2023

To: Mayor and City Council

From: Kellie Fruehling, City Clerk

Re: Council Work Session, February 21, 2023 – 4:10 p.m. at City Hall in Emma J Harvat Hall

Council: Alter, Bergus, Dunn, Harmsen, Taylor, Thomas

Staff: Fruin, Jones, Kilburg, Goers, Fruehling, Platz, Havel, Knoche, Hightshoe, Kubly,

Seydell-Johnson

USG: Zeimet, LeFevre

(A transcription is available in the City Clerk's Office and the City website.)

#### 1. <u>lowa City Community School District 2024-2025 Preschool proposal presentation</u>

Iowa City Community School District Superintendent Matt Degner gave a brief introduction on the Preschool proposal. Deborah Scott, Assistant Director of Special Education gave the PowerPoint presentation on the following topics:

- Current state
- Desired state
- Funding
- Operational Costs (x4)
- Shared Municipality Contribution Options
- Key Take-a-ways

Superintendent Degner provided additional information and answered questions from Council. Lisa Williams, IC School Board member provided additional information. Individual Council members expressed their views.

#### 2. Aid to Agency Legacy Agency spending recommendations

Councilor Dunn recused himself and left at 4:59 pm.

City Manager Fruin noted IP4 in the February 16 Information Packet which provided background and history on Aid to Agencies and where we are at today. Mayor Pro Tem Alter provided a suggested plan for the item discussion. Individual Council members expressed their views. City Attorney Goers provided additional information and asked Council for more direction. City Manager provided additional information regarding allocations. City Manager Fruin gave a recap of discussion and their recommendation to HCDC.

Action: Staff will communicate to HCDC that the City Council does not want the late submission of A2A applications from CFR and CWJ due to technical reasons to be a factor in determining grant recommendations. As such, the Council is asking for the HCDC to place the Legacy Agency recommendations on the March 30<sup>th</sup> HCDC meeting agenda, alongside the Emerging Agency recommendations. The HCDC should consider final recommendations at that meeting without consideration of the late submissions as a factor in making such recommendations.

Councilor Dunn returned at 5:34 pm.

#### 3. Clarification of Agenda Items

No discussion.

#### 4. Information Packet Discussion [February 9, February 16]

- ➤ February 9 -
  - (IP2 Memo from City Manager: Strategic Plan Presentations to Boards and Commissions) City Manager Fruin outlined the memo and asked for Council direction. Individual Council members expressed their views.

Action: Staff will contact Councilors to finalize plans for Strategic Plan presentations to Boards and Commissions.

- 2. (IP3 Memo from City Engineer: Rohret South Trunk Sanitary Sewer Project) Thank you to staff on this project. Individual Council members expressed their views. City Engineer Havel provided additional information.
- (IP4 Memo from Climate Action Coordinator: Energy Efficiency Grant Program for Insulation) Council thanked staff for information.

#### 7. University of Iowa Student Government (USG) Updates.

Keaton Zeimet, USG Liaison and Noah LeFevre, USG Alternate Liaison, presented USG Updates.

[Break to Regular Formal Meeting at 5:45 pm]

#### 4. Information Packet Discussion [February 9, February 16] [Continued]

- February 16
  - (IP9 Civil Service Examination: Mass Transit Operator) Council Taylor congratulated and welcomed new Mass Transit Operators.
  - (IP6 Memo from Grants Manager: ARPA Forest View Relocation Closeout Update) Councils Harmsen congratulated Council and the City on working to help the residents of Forest View. Individual Council Members expressed their views.

#### 8. Council updates on assigned boards, commissions, and committees

Council provided updates during regular formal meeting.

Adjourn 7:37 p.m.

Item Number: 2.b.



March 7, 2023

Formal Summary of Minutes: February 21

Attachments: Formal Summary of Minutes: February 21

#### Summary of Minutes February 21, 2023 - 6:00 PM

Iowa City City Council formal meeting, held at City Hall - Emma J. Harvat Hall, 410 E. Washington St. Mayor Teague presiding. Council members present: Alter, Bergus, Dunn, Harmsen, Taylor, Thomas. Council members absent: Teague. Staff members present: Fruin, Jones, Kilburg, Goers, Fruehling, Platz, Knoche, Havel, Seydell Johnson, Davies. USG: Zeimet, LeFevre.

#### 1. Call to Order

#### 2. State of the City

Recording of Mayor Teague presenting the State of the City was played.

#### 3. Proclamations

#### 3.a International Women's Day and Women's History Month

Johnson County United Nations Association member, Jim Throgmorton and Human Rights Commissioner, Bijou Maliabo, accepting.

- 4. Consent Calendar Approval of Council Actions (subject to corrections, as recommended by the City Clerk)
  - 4.a Work Session Minutes: February 7
  - 4.b Formal Summary of Minutes: February 7
  - 4.c Iowa City City Council/USG Town Hall Minutes: February 9
- 5. Consent Calendar Receive and File Minutes
  - 5.a Ad Hoc Truth & Reconciliation Commission: January 19
  - 5.b Airport Commission: December 8
  - 5.c Community Police Review Board: January 10
  - 5.d Climate Action Commission: January 9
  - 5.e Historic Preservation Commission: January 12
  - 5.f Parks & Recreation Commission: January 11 [See Recommendations]
  - 5.g Public Art Advisory Committee: January 5
- 6. Consent Calendar Permit Motions and Resolution (as recommended by the City Clerk)
  - 6.a Liquor License Renewal
    - 1. Class E Retail Alcohol License for Kum & Go LC, dba Kum & Go #3502, 2303 Muscatine Ave.
    - 2. Class E Retail Alcohol License for Kum & Go LC, dba Kum & Go #3504, 1310 S. Gilbert St.
    - 3. Class C Retail Alcohol License for Brothers of Iowa City, Inc., dba It's Brothers Bar & Grill, 125 S. Dubuque St.

- 4. Outdoor Service Area for Brothers of Iowa City, Inc., dba It's Brothers Bar & Grill, 125 S. Dubuque St.
- 5. Special Class C Retail Alcohol License for Prairie Kitchen Store LLC, dba Prairie Kitchen Store, 160 N. Linn St.
- 7. Consent Calendar Resolutions and Motions
  - 7.a Motion to approve disbursements in the amount of \$10,506,787.08 for the period of January 1 through January 31, 2023, as recommended by the Finance Director subject to audit. Disbursements are published and permanently retained in the City Clerk's office in accordance with State Code.
  - 7.b Resolution amending budgeted positions in the Engineering Division of the Public Works Department by deleting one full-time Special Projects Administrator position and adding one full-time Senior Engineer position. (Resolution 23-40)
  - 7.c Resolution approving an agreement with the Downtown District to allow the sale and possession of beer and wine during the Block Party.

(Resolution 23-41)

- 7.d Resolution approving an agreement with lowa City Downtown District to allow for the consumption and possession of alcohol on a portion of the 200 block of N. Linn Street. (Resolution 23-42)
- 7.e Resolution accepting the work for the Gilbert Street Pavement Repair CRANDIC Railroad Crossing Project. (Resolution 23-43)
- 7.f Resolution establishing a schedule of fees for Parks and Recreation services and programming and rescinding Resolution Number 20-47. (Resolution 23-44)
- 7.g Resolution Approving Final Plat of Cardinal Heights Part 1, Iowa City, Iowa. (SUB22-0017) (Resolution 23-45)
- 7.h Resolution Approving Final Plat of Cardinal Heights Part 2, Iowa City, Iowa. (SUB22-0017) (Resolution 23-46)
- 8. Consent Calendar Setting Public Hearings
  - 8.a Resolution setting a public hearing on March 7, 2023 on project manual and estimate of cost for the construction of the Rohret South Trunk Sanitary Sewer Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection. (Resolution 23-47)
  - 8.b Resolution setting a public hearing on March 7, 2023 on project manual and estimate of cost for the construction of the Willow Creek Trail Replacement Project, directing City Clerk to publish notice of said hearing, and directing

the City Engineer to place said project manual on file for public inspection. (Resolution 23-48)

8.c Resolution setting a public hearing for March 7, 2023, on a proposal to convey a single-family home located at 2021 Taylor Drive. (Resolution 23-49)

#### **End of Consent Calendar**

Motion to approve consent calendar, items 4 - 8. Moved by Andrew Dunn, seconded by Pauline Taylor. Motion Passed. (6 Ayes)

9. Community Comment [items not on the agenda (until 7 PM)]
The following individuals appeared: Brandon Ross and Kevin Watkins.

#### 10. Planning & Zoning Matters

10.a Ordinance conditionally rezoning approximately 3.87 acres of property located south of the N. Dodge St and N. Scott Blvd. intersection from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Development Overlay (OPD/CC-2) for approximately 2.04 acres and to Low Density Multi Family Residential with a Planned Development Overlay (OPD/RM-12) for approximately 1.83 acres (REZ22-0016).

A public hearing was held. Development Services Coordinator Sitzman presented a PowerPoint. The following individual appeared: Brian Boelk, Axiom Consultants. Individual Council members expressed their views.

Motion to give first consideration. Moved by Shawn Harmsen, seconded by Laura Bergus. **Motion Passed.** (6 Ayes)

#### 11. Regular Formal Agenda

11.a Resolution approving project manual and estimate of cost for the construction of the 2023 Park Renovations Project, establishing amount of bid security to accompany each bid, directing City Clerk to post notice to bidders, and fixing time and place for receipt of bids.

A public hearing was held. Parks & Recreation Director Seydell Johnson presented a PowerPoint.

Motion to approve Resolution 23-50. Moved by Shawn Harmsen, seconded by Andrew Dunn. **Motion Passed. (6 Ayes)** 

11.b Resolution setting the maximum property tax levy for certain levies for the proposed budget ending June 30, 2024.

A public hearing was held. Finance Director Davies presented a PowerPoint.

Motion to approve Resolution 23-51. Moved by John Thomas, seconded by Pauline Taylor. **Motion Passed. (6 Ayes)** 

## 11.c Ordinance Amending Title 9, Entitled "Motor Vehicles and Traffic," Chapter 4, Entitled "Parking Regulations," to Return Library Parking to a 20-Minute Limit. (First Consideration)

City Attorney Goers presented information.

Motion to give first consideration. Moved by Andrew Dunn, seconded by Shawn Harmsen. **Motion Passed.** (6 Ayes)

## 11.d Resolution approving a purchase agreement for 500 Manor Drive for flood mitigation.

City Attorney Goers presented information. City Manager Fruin provided additional information. Individual Council members expressed their views.

Motion to approve Resolution 23-52. Moved by Andrew Dunn, seconded by Laura Bergus. **Motion Passed. (6 Ayes)** 

11.e Resolution adopting an assessment schedule of unpaid mowing, clean-up of property, snow removal, sidewalk repair, and stop box repair charges and directing the Clerk to certify the same to the Johnson County Treasurer for collection in the same manner as property taxes.

Motion to approve Resolution 23-53. Moved by John Thomas, seconded by Laura Bergus. **Motion Passed. (6 Ayes)** 

#### **12. Council Committee Appointments**

#### 12.a Better Together 2030 Board (1)

Individual Council members expressed their views.

Motion to appoint Laura Bergus, with Councilor Dunn as an informal alternate. Moved by Andrew Dunn, seconded by Shawn Harmsen. **Motion Passed. (6 Ayes)** 

#### 13. Council Appointments

13.a Senior Center Commission - One vacancy to fill an unexpired term, upon appointment - December 31, 2023. (Karen Page resigned)

City Attorney Goers provided information for items 13.a and 13.b. Individual Council members expressed their views.

Motion to appoint Theresa Messlein. Moved by Pauline Taylor, seconded by Andrew Dunn. **Motion Passed. (6 Ayes) – One motion was made for 13.a and 13.b.** 

13.b Senior Center Commission - One vacancy to fill an unexpired term, upon appointment - December 31, 2024. (Douglas Korty resigned)

Motion to appoint Lee McKnight. Moved by Pauline Taylor, seconded by Andrew Dunn. **Motion Passed.** (6 Ayes) One motion was made for 13.a and 13.b.

#### 14. Announcement of Vacancies - Previous

14.a Civil Service Commission - One vacancy to fill an unexpired term, upon appointment - April 6, 2026. (Ann Rhodes resigned)

Applications must be received by 5:00 p.m., Tuesday, March 14, 2023.

Airport Zoning Commission (Iowa City Representative) - One vacancy to fill a six-year term, January 1, 2022 - December 31, 2027 (Term expired for Christine Ogren).

Historic Preservation Commission (E. College St.) - One vacancy to fill an unexpired term, upon appointment - June 30, 2024. (Cole Eckhardt Resigned)

Historic Preservation Commission (Jefferson St.) - One vacancy to fill a three-year term, July 1, 2022 - June 30, 2025 (formerly advertised as unexpired term - Lyndi Kiple resigned).

Historic Preservation Commission (Woodlawn Ave.) - One vacancy to fill an unexpired term, upon appointment - June 30, 2024. (Kevin Larson resigned)

Vacancies will remain open until filled.

#### 15. City Council Information

Council members reported on various meetings attended, upcoming meetings, community events, and items of interest.

- 16. Report on Items from City Staff
- 17. Adjourn

Motion to adjourn at 7:36 PM.	Moved by Pauline	Taylor, seconded by	Laura Bergus.
Motion Passed. (6 Ayes)			

	Mayor	
City Clerk		

Item Number: 3.a.



March 7, 2023

Airport Commission: January 19

Attachments: Airport Commission: January 19

IOWA CITY AIRPORT COMMISSION January 19, 2023 – 6:00 P.M. AIRPORT TERMINAL BUILDING

Members Present: Warren Bishop, Judy Pfohl (via Zoom), Hellecktra Orozco, Chris

Lawrence, Scott Clair

**Members Absent:** 

**Staff Present:** Michael Tharp, Jennifer Schwickerath,

Others Present: Layton Scarbrough, Robin Follmer, Michael Follmer, Wiliam Follmer,

Greg Gossel, Jenna Brownlee, Carl Byers, Minnetta Gardinier, Regenia

Bailey, Matt Wolford (Zoom), Carolyn Sponza (Zoom)

#### **RECOMMENDATIONS TO COUNCIL:**

None

#### **DETERMINE QUORUM**

A quorum was determined at 6:07 pm and Horozco called the meeting to order.

#### **APPROVAL OF MINUTES**

Bishop moved to accept the minutes of December 8, 2022, seconded by Lawrence. Motion carried 5-0

#### **PUBLIC COMMENT** - None

#### **ITEMS FOR DISCUSSION / ACTION**

- a. Hangar A Mural Project Tharp stated that they would begin with the finalist interviews and that each of the finalists were present at the meeting. Tharp said that the finalists had 10 minutes for their presentations, and the Commission could ask as many questions following the presentations as they wanted. Tharp stated that Layton Scarbrough was first.
  - i. Finalist Interviews Scarbrough gave his presentation to the Commission. Scarbrough described the details and motivation behind the mural, stating that he wanted something that would welcome people to the area and to tell the history of the airport. Following the presentation, Commission members asked questions to which Scarbrough responded. Gardinier asked about increasing the representation in the mural art in terms of both women and of people of color.

Second finalist was Jenna Brownlee. Brownlee gave her presentation and showed concepts of work to the Commission. Brownlee continued to describe how the concepts came together. Following the presentation Commission members asked questions to which Brownlee responded.

The last presentation was given by Greg Gossel. Gossel described his motivations and message and discussed a concept with the Commission. Gossel then showed off concepts of murals for the Commission. Following the presentation, members asked questions to which Gossel responded.

- Consider a motion directing staff to negotiate a contract with a selected artist – Clair moved to defer the motion to the February 9<sup>th</sup> meeting, seconded by Lawrence. Motion carried 5-0
- b. Airport Strategic Plan Bailey stated that this evening's objectives were to check in on the vision and mission statements and then examine the goals. Bailey stated that when they had first started this process the initial decision was not to change the vision and mission statements, but also wanted to check in and confirm that decision. Bailey stated that the purpose of the vision statement is to describe the long term aspirations and ideal future state. The mission statement is an internally unifying and externally explaining what the organization does. Members discussed the vision and mission statements. Bishop commented about having a more bold vision statement, members discussed different wording of the statements. Gardinier shared insights from the previous discussion as a member of the Commission who had been involved with the previous plan's creation. Members discussed removing the word "economic" from the vision statement. Members continued to discuss the statement. Members agreed to change the vision statement to "The lowa City Municipal Airport seeks to support the strategic goals of the City of Iowa City and is an integral community asset that benefits the region's commerce, vitality, and community pride." Bailey then began discussing the goals stating that these fit into categories of Communication, Funding, Use, Infrastructure. Bailey asked if those were still the broad categories that the Commission wanted to use, or if there were any others missing. Members discussed the existing goals. Clair discussed adding a new goal category called Public Relations. Clair discussed including good Members discussed ways to balance airport operations with neighbor goals. complaints of noise. Bailey reiterated that the Commission would have 5 broad objectives for their goals including a new one for Public Relations. Lawrence suggested dropping the "for aviation" from the "increase use of the airport" goal. Clair suggested a goal for "continue to develop funding mechanisms for airport operations, improvements, and maintenance." Members continue to discuss draft goals.

#### c. Airport Construction Projects:

- i. FAA grant projects
  - Runway 25 Threshold Relocation Tharp stated that this was still
    to be finished up in the spring with painting and clean up
  - 2. Runway 12/30 Displaced Threshold/Relocation Tharp noted that they were working on the scope agreement. Bishoped asked if that included LED lights and Byers note that's one of the major items being discussed with FAA. Byers also noted they were looking at PAPIs on the 30 end.
  - 3. Terminal Area Study
    - a. Draft scope of services Tharp noted that they had a scope of services draft and he wanted to walk through the scope with the Commission so that everyone was on the same page

as to what was going to happen and how it was going to happen. Byers stated that they were looking at two components, the building itself and the gateway or entrance road. Byers noted they changed the outcomes so that they were included a "no change" option. Otherwise they also looking at a minor building renovation (keeping the shell and remodeling the interior), a major building modification, and a "demolish and reconstruct" option. Sponza described some of the outreach and the public participation plans. Commission members discussed the scope and asked questions to which Byers responded. Byers also noted that they had to be aware of the funding limits regarding certain uses in the building. Tharp stated they had a couple of more steps before the agreement was ready for approval but was hopeful to have it at their next meeting

4. Solar Power Project – Tharp stated that CMT was working on their scope of services document. Tharp stated that they were planning on an agreement that had two parts, the environmental section and then the design phase for the system. Tharp stated they were trying to get that ready to go

#### ii. Iowa DOT grant projects

- 1. FY22 Program
  - a. South T-hangar infrastructure Tharp stated that they were waiting for winter. The contractor had been completing their materials submittals. Tharp noted the contract had 25 days so the contractor also wanted to make sure they had good schedule

#### 2. FY23 Program -

- a. Terminal Building Improvements Tharp stated that Bolton & Menk was putting together some sheets for this and the wayfinding signage that they could send off for quotes because these projects were not requiring a formal bid process
- b. Wayfinding/Signage -

#### iii. Airport/Locally Funded Projects

- 1. Parking Lot Additions Tharp stated they were waiting for spring to confirm the seeding was going to take.
- iv. Future Projects Tharp stated he added this as a spot for any future projects they might want to discuss. Tharp noted that during the budget presentations he learned that the City was using conductive pavement in a project and he had sent information to Carl about using it in future airport projects. Tharp stated that this was something that could be applied to projects at the airport.

#### d. Airport "Operations"

i. Budget – Tharp stated that he had completed the presentations to the City Council. He noted that one council member had discussed some of the climate change projects and asked about what happens when the 100LL changes. Tharp noted he was watching it, but that FAA was still in the process of certifying it. Lawrence noted that he had read something recently

that FAA was certifying powerplants on an individual basis. Tharp noted that he had also completed the capital improvement presentation with Council.

#### ii. Management

**1. Annual Report** – Tharp stated that this was in the packet and member should read for comment and corrections.

#### iii. Events

- 1. Autocross: April 16, June 11, Aug 27, Oct 1.
- 2. Pancake Breakfast August 27
- 3. **Drive-In Movies** Tharp noted that they were tentatively scheduled for 1 movie and that he had promised to pay for the portable toilets in order to keep it on the schedule.
- **4.** Young Eagles Tharp stated that he had reached out to the Young Eagles organizers to get on the schedule.
- e. FBO / Flight Training Reports
  - i. Jet Air Wolford noted that it's been a winter for the brush equipment. So far the snows have been light. Wolford noted that he had returned from the Cirrus conference and that Jet Air Iowa City was a service center for Cirrus. Wolford noted that they were seeing more noise complaints on a national level because during the pandemic people were at home instead of in office buildings. He also noted that some of the comments could be from operations like the state patrol who will fly for several hours over an area when they do traffic patrols.
- f. Commission Members' Reports None
- g. Staff Report None

#### **SET NEXT REGULAR MEETING**

Lawrence noted he was a "maybe" for the meeting. Members set the next meeting to be held on February 9<sup>th</sup>.

#### **ADJOURN**

Lawrence moved to adjourn, seconded by Clair. Motion carried 5-0. Meeting was adjourned at 8:30pm.

Julith L. Phill	2-14-2023
CHAIRPERSON	DATE

#### **Airport Commission**

#### ATTENDANCE RECORD

#### 2022-2023

NAME	TERM EXP.	01/13/22	1/13/22	2/10/22	03/10/22	04/21/22	05/12/22	06/06/22	07/14/22	08/09/22	08/11/22	09/08/22	10/13/22	11/10/22	12/08/22	01/19/23
Warren Bishop	06/30/26	х	х	Х	X	Х	Х	Х	Х	O/S	Х	Х	Х	х	X	х
Scott Clair	06/30/23	х	X	Х	Х	Х	Х	Х	Х	X/S	Х	Х	Х	O/E	X	X
Christopher Lawrence	06/30/25	х	Х	х	Х	O/E	х	х	X	o/s	х	O/E	X	х	X	х
Hellecktra Orozco	06/30/24	х	х	х	Х	x	Х	Х	Х	x/s	Х	O/E	X	x	X	х
Judy Pfohl	06/30/26	Х	X	Х	Х	Х	Х	Х	Х	X/S	Х	Х	X	Х	Х	Х

#### Key:

X = Present

X/E = Present for Part of Meeting

O = Absent

O/E = Absent/Excused

NM = Not a Member at this time

X/S = Present for subcommittee meeting

O/S = Absent, not a member of the subcommittee

·			

Item Number: 3.b.



March 7, 2023

Civil Service Commission: February 24

Attachments: Civil Service Commission: February 24

Minutes – Final City of Iowa City Civil Service Commission Friday, February 24, 2023 – 3:45 p.m. Helling Conference Room

Members Present: Rick Wyss, Chi Ogboko

Members Absent: None

Staff to the

Commission Present: Karen Jennings, Tracy Robinson

Other Parties Present: Fire Chief Scott Lyon

#### Recommendation to Council (become effective only after separate Council action):

None.

#### Call to Order:

Wyss called the meeting to order at 3:45 p.m.

#### Fire Department promotional testing:

After a brief discussion, Wyss moved and Ogboko seconded to approve the process as proposed by staff in the February 22, 2023 memo. All were in favor.

#### Adjournment:

Ogboko moved to adjourn, Wyss seconded, all were in favor and the meeting was adjourned at 3:53 p.m.

#### Board/Commission: Civil Service Commission Attendance Record Year 2023

#### (Meeting Date)

Name	Term Expires	1/19/23	2/24/23
Rick Wyss	4/1/24	Х	Х
Chi Ogboko	4/7/25	Х	X
Ann Rhodes	4/6/26	X	

KEY: X = Present

O = Absent

O/E = Absent/Excused NM = No Meeting --- = Not a Member

Item Number: 3.c.



March 7, 2023

Climate Action Commission: January 9

Attachments: Climate Action Commission: January 9

MINUTES

IOWA CITY CLIMATE ACTION COMMISSION JANUARY 9, 2023 – 3:30 PM – FORMAL MEETING EMMA J. HARVART HALL

MEMBERS PRESENT: Michal Eynon-Lynch, Ben Grimm (via zoom), Elizabeth

Fitzsimmons, John Fraser (via zoom), Jamie Gade, Stratis Giannakouros, Jesse Leckband (via zoom), Michelle Sillman,

Gabriel Sturdevant, Matt Walter

MEMBERS ABSENT: Matt Krieger

STAFF PRESENT: Daniel Bissell, Sarah Gardner, Megan Hill

**OTHERS PRESENT:** 

#### **CALL TO ORDER:**

Sturdevant called the meeting to order.

#### APPROVAL OF DECEMBER 5, 2022 MINUTES:

Eynon-Lynch moved to approve the minutes from December 5, 2022.

Walter seconded the motion. A vote was taken and the motion passed 8-0 (Grimm and Giannakouros were not present for the vote).

#### **PUBLIC COMMENT OF ITEMS NOT ON THE AGENDA:**

None.

#### **ANNOUNCEMENTS:**

#### Action Items from last meeting (Staff):

 Soglin was going to send information on the IRA to Grimm. Grimm was going to provide information on the Northwest Junior High electrification projects. Due to Grimm's absence, this will be a follow-up item next time.

#### **Upcoming events (Staff):**

- Speaking of... Questions Answered (Jan. 23)
- Accelerating Black Leadership in Sustainability (Feb. 9)

#### Working Group Updates (Staff):

Resilience Hub Prioritization (Grimm, Eynon-Lynch, Walter) – Eynon-Lynch noted the group shared recommendations for potential resilient hub locations with staff. Next meeting will explore information from other cities that have already implemented resilience hubs.

#### Introductions and welcome to new members:

Climate Action Commission January 9, 2023 Page 2 of 4

Michelle Stillman works at the University of Iowa School of Journalism. She is participating in this Commission to learn what's happening in Iowa City and be more involved.

{Ben Grimm joined the meeting via zoom}

Jamie Gade works with Johnson County Public Health and is interested in this Commission because of climate impacts on health.

{Stratis Giannakouros joined the meeting}

Elizabeth Fitzsimmons is a student at the University getting a bachelor's in environmental science. She was part of the climate ambassador program last year and wanted to learn more about the City and be involved.

#### Review of key duties and practices of the Commission (Staff):

Staff reviewed the Commission bylaws and answered questions.

#### **UNFINISHED/ONGOING BUSINESS:**

#### Climate Action Plan updates:

- Eynon-Lynch asked about updates to City Code to make buildings more ready for solar. Gardner replied Planning Department did a comprehensive review of the code and compared it with other cities. Iowa City's code compares well, but tweaks could be made such as reducing fencing or screening requirements to help ease solar adoption. Also, language will be added to prevent future forming HOAs from prohibiting solar installation on homes (existing HOAs are grandfathered in). Planning staff is also working on EV readiness. Code-cleanup was an action that resulted from the solar memo CAC sent to City Council.
- Eynon-Lynch asked about an upcoming action to review parking regulations and reductions.
  Gardner stated planning staff is looking at decreasing the number of required parking
  spaces for commercial properties and multifamily residential to encourage use of public
  transportation and improve land use. Gardner offered to invite planning staff to give a
  presentation at an upcoming CAC meeting.
- Eynon-Lynch and Sturdevant asked about Phase Three. Gardner clarified that Phase Three
  items aren't scheduled to be acted on until 2025, but staff lay some groundwork in advance.
- Eynon-Lynch expressed interest in the local procurement campaign and asked how the Beyond Plastic initiative is going. Gardner noted Jane Wilch's last update indicated restaurants' feedback was less robust and enthusiastic than community members' feedback. A pilot program to adopt more compostable containers has been temporarily paused due to staffing changes at CHOMP. Eynon-Lynch also asked if Root for Trees and native plantings

Climate Action Commission January 9, 2023 Page 3 of 4

in the parks will continue in 2023. Gardner affirmed both programs have strong support and will continue.

- Gardner noted the use of Goldie to promote insulation and the resulting 650% increase in participation in the City's insulation grant program. Staff shared the Goldie insulation video created by the City communication department.
- Sturdevant asked about media channels. Gardner noted ads have appeared in the Gazette
  and Little Village, on buses, as radio ads, as utility inserts, and on electronic billboards in
  City buildings including City Hall. Hill noted they ran the Goldie video as a Facebook ad, and
  it reached 15,300 people within a week and had 476 link clicks. Communications staff saw a
  spike in visits to the web page after the ads ran.
- As an additional note about the CAAP Update, Gardner shared that the IC Area Association of Realtors confirmed that energy performance fields will be included in their MLS property inventory starting this year. This means that everybody who comes to purchase a home in lowa City will be receiving some information about the energy efficiency measures that are included in that home. City is bringing in a trainer to demonstrate to all area realtors how these energy performance fields are used to help encourage and facilitate these discussions.

#### **NEW BUSINESS:**

#### **Election of Chair and Vice Chair:**

Giannakouros moved to nominate Eynon-Lynch as Commission Chair. Sillman seconded, a vote was taken, and the Commission voted unanimously to approve.

Gade moved to nominate Sturdevant as Vice Chair, Sillman seconded the motion, a vote was taken and the Commission voted unanimously to approve.

#### **RECAP:**

- a. Confirmation of next meeting time and location:
  - a. Monday February 6, 3:30-5 p.m., Emma J. Harvat Hall
- b. Actionable items for commission, working groups, and staff:
  - Invite Jane Wilch to come give an update.
  - o Invite planning staff to come give an update.

#### **ADJOURNMENT:**

Walter moved to adjourn, Leckband seconded the motion. A vote was taken and the motion passed 10-0.

# CLIMATE ACTION COMMISSIONATTENDANCE RECORD 2023

NAME	TERM EXP.	2/7/2022	3/7/2022	4/4/2022	5/2/2022	6/6/2022	7/11/2022	8/15/2022	9/12/2022	10/10/2022	11/7/2022	12/5/222	1/9/2023
Michal Eynon-Lynch	12/31/2024	X	Х	Х	Х	Х	NM	Х	Х	Х	Х	Х	Х
John Fraser	12/31/2024	X	Х	Х	Х	Х	NM	Х	Х	Х	Х	Х	Х
Elizabeth Fizsimmons	12/31/2025										E.F.		Х
Jamie Gade	12/31/2025		508	A HAIL	line 3			(F- V)			1 19.0	-91	Х
Stratis Giannakouros	UI Rep	O/E	Х	Х	Х	O/E	NM	Х	Х	Х	Х	Х	Х
Clarity Guerra	12/31/2022	X	Х	Х	O/E	Х	NM	Х	Х	Х	Х	Х	*
Ben Grimm	10/31/2023	X	Х	O/E	Х	Х	NM	Х	Х	O/E	Х	Х	Х
Megan Hill	12/31/2022	X	Х	Х	Х	*	*	*	*	*	*	*	*
Kasey Hutchinson	12/31/2022	X	Х	Х	Х	Х	NM	Х	Х	Х	Х	Х	*
Matt Krieger	12/31/2023	X	Х	Х	O/E	Х	NM	Х	O/E	Х	Х	Х	O/E
Jesse Leckband	MidAmerican Rep	O/E	Х	Х	Х	Х	NM	Х	O/E	Х	Х	Х	Х
Michelle Sillman	12/31/2025												Х
Becky Soglin	12/31/2022	X	Х	Х	Х	Х	NM	Х	Х	Х	Х	Х	*
Gabe Sturdevant	12/31/2024	X	Х	Х	O/E	Х	NM	Х	Х	O/E	Х	Х	Х
Matt Walter	12/31/2023		N.	To the		ши	NM	Х	O/E	Х	Х	Х	Х

KEY:

X = Present

0 = Absent

0/E = Absent/Excused

NM= No Meeting

\* No longer on Commission

Item Number: 3.d.



March 7, 2023

Housing and Community Development Commission: January 19 [See Recommendations]

Attachments: Housing and Community Development Commission: January 19 [See

Recommendations]



## CITY OF IOWA CITY MEMORANDUM

Date:

February 24, 2023

To:

Mayor and City Council

From:

Brianna Thul, Community Development Planner

Re:

Recommendation from Housing and Community Development Commission

At their January 19, 2023 meeting, the Housing and Community Development Commission made the following recommendation to the City Council:

HCDC - F12	4 Legacy A	lia to Agen	cy Funding	Recommen	dations	
Agency	FY23 Allocation	FY24 Request	HCDC Average Score	Staff Funding	HCDC Funding	Change in Allocation from FY23 to FY24 Based on HCDC Recommendations
Shelter House	\$90.810	\$99,790	96	\$99,790.00	\$99,790.00	\$8,980.00
Neighborhood Centers of Johnson County	\$58,759	\$110,000	95	\$70,000.00	\$70.000.00	\$11,241.00
CommUnity*	\$74,037	\$69,086	95	\$69,086.00	\$69.086.00	-\$4.951.00
Free Medical Clinic	\$26,709	\$40,000	94	\$34,954.00	\$40,000.00	\$13,291.00
DVIP	\$53,418	\$60,000	91	\$60,000.00	\$60,000.00	\$6,582.00
United Action for Youth*	\$35,256	\$34,500	89	\$34,500.00	\$34,500.00	-\$756.00
Table to Table	\$33,119	\$45,000	89	\$34,774.95	\$40,000.00	\$6,881.00
Big Brothers Big Sisters	\$26,709	\$27,125	88	\$27,125.00	\$27,125.00	\$416.00
lowa Valley Habitat for Humanity	\$26,709	\$30,000	87	\$28,044.45	\$27,029.00	\$320.00
4Cs	\$26,709	\$30,000	86	\$28,044.45	\$28,000.00	\$1,291,00
Aging Services (Pathways)	\$26,709	\$27,000	83	\$27,000.00	\$15,000.00	-\$11,709.00
Houses into Homes	\$0	\$15,000	82	\$15,000.00	\$15,000.00	\$15,000.00
RVAP	\$26,709	\$30,000	82	\$28,044.00	\$28,000.00	\$1,291.00
Horizons	\$47,007	\$47,007	82	\$40,000.00	\$38,000.00	-\$9.007.00
Inside Out Reentry	\$42,734	\$45,000	81	\$40,000.00	\$31,000.00	-\$11,734.00
Arc of Southeast lowa	\$21,367	\$30,000	80	\$22,435.35	\$22,400.00	\$1,033.00
HACAP	\$26,709	\$27,510	80	\$27,510.00	\$27,270.00	\$561.00
Dream City	\$0	\$30,000	76	\$15,000.00	\$25,000.00	\$25,000.00
Free Lunch	\$19,230	\$25,000	72	\$20,192.00	\$15,000.00	-\$4,230.00
Community and Family Resources (formerly Prelude)	\$42,734	\$41,788	52	\$0.00	\$0.00	-\$42,734.00
Center for Worker Justice	\$0	\$45,000	52	\$0.00	\$0.00	\$0.00
HTFJC	\$0	\$0.00	NA	NA NA	NA	NA
Total	\$705,434	\$908,806		\$721,500,20	\$712,200.00	

Please note that these recommendations were made prior to the February 21, 2023 Council Work Session where the FY24 Legacy Aid to Agencies process was discussed. FY24 Legacy Aid to Agency recommendations will be placed on the March 30th HCDC meeting agenda, alongside the Emerging Agency recommendations. HCDC will consider final recommendations at the March meeting without consideration of the late submissions as a factor in making recommendations.

February 24, 2023 Page 2

X No further action needed
Board or Commission is requesting Council direction
Agenda item will be prepared by staff for Council action

MINUTES

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION JANUARY 19, 2023 – 6:30 PM FORMAL MEETING THE CENTER ASSEMBLY ROOM

MEMBERS PRESENT:

Kaleb Beining, Maryann Dennis, Michael Eckhardt, Jennifer Haylett.

Karol Krotz, Nasr Mohammed, Becci Reedus

MEMBERS ABSENT:

Kyle Vogel

STAFF PRESENT:

Erika Kubly, Brianna Thul

OTHERS PRESENT:

Genevieve Anglin (UAY), Lucy Barker (Houses into Homes), Crissy Canganelli (Shelter House), Charlie Eastham (CWJ), Missie Forbes (4Cs), Christi Regan (HACAP), Adam Robinson (RVAP), Nicki Ross (Table to Table), Jennie Schmidt (Free Medical Clinic), Mazahir Salih

(CWJ), Daleta Thurness (BBBSJC),

PRESENT ON ZOOM:

Kristie Fortmann-Doser (DVIP), Michelle Heinz (Inside Out Reentry), Kai

Kiser (Free Lunch Program), Shelly Zabel (Community and Family

Resources), Barbara Vinograde (Free Medical Clinic)

#### RECOMMENDATIONS TO CITY COUNCIL:

By a vote of 7-0 the Commission recommends the following FY24 Legacy Aid to Agencies budget recommendations to City Council (see page 9).

#### **CALL MEETING TO ORDER:**

Beining called the meeting to order at 6:30 PM.

#### **CONSIDERATION OF MEETING MINUTES: NOVEMBER 17, 2022:**

Reedus moved to approve the minutes of November 17, 2022, Dennis seconded the motion. A vote was taken, and the minutes were approved 6-0 (Krotz not present for the vote).

#### PUBLIC COMMENT FOR TOPICS NOT ON THE AGENDA:

Shelly Zabel (Community and Family Resources) stated they had a merger and Prelude and Prelude came under Community and Family Resources on July 1st. At some point she would like to come back and make a more formal presentation but at this time wanted to let them know some of what the merger has entailed. Both agencies provided similar services and had been able to streamline management which provided cost savings to both agencies. They are looking at the strengths from each side and trying to move forward implementing different processes that maybe Prelude did a better job of than Community and Family Resources did so they can learn from each other. While this merger just happened in July, they actually had begun the process of providing consultation services back in September 2020, right after the pandemic began as it was also at a time that the agency director for Prelude was beginning to contemplate retirement. Zabel noted those were some of the reasons for merger and will be happy to come back and do a more formal presentation in the future.

## <u>DISCUSS FY24 LEGACY AID TO AGENCIES (A2A) FUNDING AND CONSIDER A BUDGET RECOMMENDATION TO CITY COUNCIL:</u>

Dennis went back and read through everything again, including the staff comments and recommendations and thought about some of the discussion last time regarding applicants that are late and when their scores are pretty low. Dennis feels they may want to talk a little bit more about not funding Community and Family Resources or not funding Center for Worker Justice because some of the agencies did get cut.

Reedus feels that allowing late applicants to compete and to get funding is unfair, especially when the application deadline was clear. She acknowledged they may have had technical problems, but she really believes what happened is that they ran the clock down too far and did not leave enough time to get it in. In the past if they didn't get it in at five o'clock, they'd have to call and have it accepted. She acknowledged that part of the response from the agencies was it took them some time to get a hold of the person, because there are probably a number of agencies trying to get some assistance at the last minute, but that still doesn't change the fact that they were late. If there were real technical difficulties in getting the application submitted like loss or power or their computers went down, they should have called. So again, she does not think it's fair to any of the other applicants if they allow late applicants to be able to continue to compete for funding.

## {Krotz joined the meeting}

Dennis noted again, she went back and looked at the scoring and they have a cluster of scores from 82 to 87, and there are several agencies that were cut. They need to be totally equitable and have a rationale of how they decide these things so she would put Center for Worker Justice back to zero.

Krotz agrees and also had been troubled a little bit the past couple of months with funding Center for Worker Justice. It has nothing to do with anything other than the scoring not the late application. Going back and reading staff recommendations there were a number of things listed that supported their decision to suggest it not be funded and would ask the commission members to consider that also when making their decision. One example is them was asking for money for which the grant wasn't intended.

Kubly believes that was one of the things Center for Worker Justice clarified later is that they wouldn't be using funds for things that weren't eligible for outside of lowa City.

Haylett was wondering - with the late applications could they just provide like a little bit more detail. How late it was and was it the case that they just didn't turn it in, and someone reached out to them, or what exactly happened in that situation? Thul noted these applications are accepted through United Way and not directly by the City. Two applications were submitted late, within 30 minutes of the deadline. The agencies stated they had technical issues and reached out to United Way. That's the reason that United Way accepted it.

Mohammed thinks the applications being accepted means they should come to the floor for discussion. He doesn't think it's that a technical glitch for about 30 minutes or so should void their status.

Reedus stated they would then have to define what else can fall outside guidelines, is 45 minutes too late? Is an hour too late? Is midnight too late? What does an application deadline mean?

Dennis noted they are still a Legacy Agency, so they'll come back every year. Additionally, they will also be reviewing the HOME and CDBG applications soon and a lot of the agencies that they're dealing with tonight will probably come in for an application for HOME and CDBG. That's a hard and fast rule from the City that they have to have them in on time or they're not considered. For this process, they can't do anything about what United Way does. Her biggest concern is cutting Habitat, Aging Services, RVAP and Horizons when they could use that \$15,000 from CWJ and add more to them.

Housing and Community Development Commission January 19, 2023 Page 3 of 9

Beining asked if they are suggesting they take away the funding from Center for Worker Justice and disperse it amongst the others, or would they like to honor the funding that they had decided in November?

Reedus stated they have two options. Either they can disperse that \$15,000 by taking it away from the recommendation of Center for Worker Justice, or they could also reach a little bit into the Emerging Agency fund.

Beining would be a proponent of taking the funds away from the Center for Worker Justice allocation and dispersing them amongst the others. Dennis had suggested, possibly even utilizing the previous score rankings to come up with a distribution amount.

Reedus suggested they break that down into first deciding on Center for Worker Justice, and then another decision separately on how to handle the \$15,000 it if that passes.

Haylett asked if the reason folks want to take the money from the Center for Worker Justice is the lateness only, or is it something in addition to that?

Beining thinks it would be a good idea to take it away because as others have spoken - where do they draw the line of acceptable versus unacceptable on deviance from what the application says? So, it may be most equitable to consider it late, because it was late - even if it was minuscule and disperse it to those who were able complete the application on time.

Eckhardt is a bit apprehensive about just removing their funding. The Commission agreed last time that the Center for Worker Justice is still sort of new to the process and they did have difficulties and they were not very late. Regarding exactly how late is too late, that's where a commission should be able to do - to make that judgment. If they could write down exactly rule for rule what to do in every single case, well, then they wouldn't really have a role for this commission. He is apprehensive about just simply removing the funding. He absolutely wouldn't give them more than the minimum right now but does believe that they provide an important service for the community. It would not be good giving them no funding.

Dennis noted again that they can't control what the United Way does as far as accepting applications, but they can consider the City's policy about accepting late applications. Dennis is really concerned about applicants who scored very high and got cut. The Center for Worker Justice is still a Legacy Agency and they'll come back next year, so she votes to not fund them.

Reedus wanted to clarify if they would be eligible for second year funding since Legacy funding is a twoyear application. Kubly confirmed the year two allocations will be prorated based on FY24 allocations.

Reedus stated that doesn't change her mind at all and noted this is not a happy decision on her part as she advocated for them to become a Legacy Agency. A rule is a rule, and she will not be in favor of allocating Center for Worker Justice or Community and Family Resource Center any funding because of late applications.

Mohammed is in favor of funding the Center for Worker Justice.

Krotz is in favor of not funding them at this time for all the reasons previously stated and thinks that it not only amounts to fairness to the other applicants, but also fairness to all the applicants to come for the other grants that this Commission helps distribute.

Haylett agrees that if they were in control of the applications and they were being submitted directly to the City with a firm deadline in terms of not accepting things late, then she would be for it. But because United Way accepted it and put it front of this Commission, that complicates things. She can imagine situations in the future where people would be late. They would not get the application and wouldn't even

Housing and Community Development Commission January 19, 2023 Page 4 of 9

know that they were late because that message wouldn't be conveyed. She is actually against taking away the funding.

Kubly noted staff can see when an application was submitted because they are time stamped. When it was noticed they were late, staff reached out to United Way to ask about it and they stated there were technical difficulties, so staff accepted the applications based on the information from United Way.

Beining noted that makes it four to three commissioners in favor of not funding Center for Worker Justice.

Mazahir Salih (Center for Worker Justice) stated actually they were not late. They were ready to submit the application almost 10 minutes before the deadline, but it was not submitting. When it became like seven minutes left, she freaked out and called the United Way to ask what happened - they said sometimes, like when everybody is submitting at the same time, this happens. While she was on the phone with United Way, they suggested to get out and get in again and do this and do that, and then another person called because they have also had trouble submitting. Their application was ready to be submitted and they had been working all day long on that day to submit it. Again, she contacted United Way seven minutes before the deadline to get help and they told her it was definitely a technical difficulty.

Beining finds it unfortunate but does still stick with his vote for no funding.

Beining has noted four in favor to remove the funding and three in favor to keep it so now they have to decide how they would like to disperse the money that was allocated towards Center for Worker Justice, or if they would like to refill the Emerging Aid Agencies pot.

Krotz would like to see it go back to the Emerging Agencies.

Beining and Reedus agrees.

Mohammed is in favor of putting the money back towards Emerging Agencies. He noted they have currently \$24,300 in the emerging agency pot, if they put the \$15,000 back in, they will go above the 5% and he is okay with that.

Reedus asked if a Legacy Agency who receives zero funding in this process eligible to ask for Emerging Agency money. Thul stated she believes Legacy Agencies would be ineligible for Emerging Aid to Agencies funding. Reedus asked if that's an actual rule that's written someplace, noting part of her problem with this whole process is she doesn't know what the rulebook is. Kubly is unsure if it is written anywhere so if the Commission wanted to provide input on that they could consider it.

Haylett asked what the Emerging Agency budget is for. Thul replied the Emerging Aid to Agencies budget can be up to 5% of the total Aid to Agencies pot, and that funding goes towards agencies who are not Legacy Agencies, so newer nonprofits. Emerging Aid to Agencies started around FY20 and in the last couple years it has been about a budget of about \$30,000. Haylett asked if there is a deadline to apply for those funds, or is it a rolling thing? Thul explained the application opened at the end of December, and applications are due at the end of January. The Commission will be seeing those come through next.

Dennis asked typically when the Emerging Agencies apply, is there money left over, or is there usually more asked for than they have to distribute? Kubly stated typically there are more applications than funding, but it varies by year and how much agencies will request is an unknown.

All were in favor of replenishing the Emerging Agency budget with the money remaining from the Center for Worker Justice.

Reedus motioned to make the following FY24 Legacy Aid to Agencies budget recommendations to City Council Seconded by Krotz. Passed 7-0.

Reedus also would like to propose that they allow any agency that did not receive money to apply in the Emerging Agency funding round. Others agree.

Kubly noted the applications for Emerging Aid to Agencies are due on Monday, January 30 at noon, and that they are available online.

HCDC - FY2	24 Legacy A	id to Agen	cy Funding	Recommen	dations	At Park
Agency	FY23 Allocation	FY24 Request	HCDC Average Score	Staff Funding	HCDC Funding Recommendations	Change in Allocation from FY23 to FY24 Based on HCDC
Shelter House	\$90,810	\$99.790	96	\$99,790.00	\$99.790.00	\$8,980.00
Neighborhood Centers of Johnson County	\$58,759	\$110,000	95	\$70,000.00	\$70,000.00	\$11.241.00
CommUnity*	\$74,037	\$69,086	95	\$69,086.00	\$69.086.00	-\$4,951.00
Free Medical Clinic	\$26,709	\$40,000	94	\$34,954.00	\$40,000.00	\$13,291,00
DVIP	\$53,418	\$60,000	91	\$60,000.00	\$60,000.00	\$6,582.00
United Action for Youth*	\$35,256	\$34,500	89	\$34,500.00	\$34,500,00	-\$756.00
Table to Table	\$33,119	\$45,000	89	\$34,774.95	\$40,000.00	\$6.881.00
Big Brothers Big Sisters	\$26,709	\$27,125	88	\$27,125.00	\$27,125.00	\$416.00
lowa Valley Habitat for Humanity	\$26,709	\$30,000	87	\$28,044.45	\$27,029.00	\$320.00
4Cs	\$26,709	\$30,000	86	\$28,044.45	\$28,000.00	\$1,291.00
Aging Services (Pathways)	\$26,709	\$27,000	83	\$27,000.00	\$15.000.00	-\$11.709.00
Houses into Homes	\$0	\$15,000	82	\$15,000.00	\$15,000.00	\$15,000,00
RVAP	\$26,709	\$30,000	82	\$28,044.00	\$28,000.00	\$1,291.00
Horizons	\$47,007	\$47,007	82	\$40,000.00	\$38,000.00	-\$9,007.00
Inside Out Reentry	\$42,734	\$45,000	81	\$40,000.00	\$31,000.00	\$11,734.00
Arc of Southeast lowa	\$21,367	\$30,000	80	\$22,435.35	\$22,400.00	\$1.033.00
HACAP	\$26,709	\$27,510	80	\$27,510.00	\$27,270.00	\$561.00
Dream City	\$0	\$30,000	76	\$15,000.00	\$25,000.00	\$25,000.00
Free Lunch	\$19,230	\$25,000	72	\$20,192.00	\$15,000.00	-\$4.230.00
Community and Family Resources (formerly Prelude)	\$42,734	\$41,788	52	\$0.00	\$0.00	-\$42,734.00
Center for Worker Justice	\$0	\$45,000	52	\$0.00	\$0.00	\$0.00
HTFJC	\$0	\$0.00	NA NA	NA	NA	NA
Total	\$705,434	\$908,806	STATE OF THE	\$721,500.20	\$712,200.00	

<sup>\*</sup>Recommendations show a decrease in funding for CommUnity and UAY from FY23 to FY24. Please note this is due to a decrease in agency request.

## **DISCUSS CREATION OF A SUBCOMMITTEE TO REVIEW THE AID TO AGENCIES PROCESS:**

Beining stated this agenda item is to see if they have a consensus on willingness to create a subcommittee, and then to identify commissioners to serve. They may also want to decide how the reporting would be handled, how often they would meet, and how often they'd report to the full Commission.

Dennis noted this was her first time to go through this process with Emerging and Legacy Agencies and feels there is a lot of confusion. Dennis thinks a subcommittee is a great idea. She does have one suggestion for the makeup of the committee, because these Legacy Agency applications go through the United Way, she feels it behooves them to ask the United Way to have a representative at these meetings because they've talked a lot about how the application needs to change, that they're not getting the information that they need to make good decisions. If a lot of agencies that fill out the United Way application are also filling it out for Legacy Agency money, it just makes sense to get them on board also.

Krotz wondered if it is necessary for the United Way and this Commission to be joined on the application, or is it possible to sever that?

Reedus noted this Commission went through the application and made specific recommendations for changes and that United Way didn't want to make them all. She is in favor of splitting the process from United Way and doing their own application and process. Also thank you to Agency Impact Coalition for providing them with the correspondence regarding how this funding process began, back before the pandemic. It is was the result of some big changes made in the amount of funding that was allocated to the Aid to Agencies process. Those recommendations from the Agency Impact Coalition were spot on in terms of having site visits which would be beneficial to make sure that there's a flow of information of the successes to meet community needs, etc. Anyway, she is in favor of doing this as their own subcommittee of just HCDC, and once they're down the line and start talking about the application, if they want to include United Way in those discussions fine, but starting with their own subcommittee, with staff, HCDC members, and maybe a couple of representatives from AIC if people are willing to serve on the subcommittee.

Mohammed is in favor of creating this subcommittee but would like to know more about the purpose on the scope of the subcommittee and what they would like to see on the application.

## Krotz motioned to form a subcommittee of HCDC to review the Aid to Agencies process. Seconded by Eckhardt. Passed 7-0.

Next to decide on parameters, such as the how often they should report - are they reporting when they have a recommendation, or is it a report at every meeting? They should also specify exactly who is volunteering for that subcommittee making sure it is not enough to have a full guorum.

Eckhart asked how often a subcommittee would meet.

Reedus thinks that depends, her hope would be in 30 to 60 days to come up with a goal and a calendar or a timeline of activities.

Reedus, Krotz and Eckhart volunteered to participate.

Next to establish parameters around when they would meet, or when they would update. Or should they simply form the subcommittee and then figure that out at a later time?

Reedus suggested deadlines are good. Why don't they ask for a for a report on timelines by the March meeting giving 60 days to get it together?

Krotz asked how they going to include the other organizations in terms of their membership on the subcommittee?

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Reedus asked if they should ask two members or AIC to appoint two members to attend? Kubly noted not all of the Legacy Agencies that apply to this program are on the AIC, so how do they want to consider other agencies and their involvement?

Dennis stated the subcommittee would also need to have minutes so all of the Legacy Agencies could receive the minutes at least. Otherwise, it's going to be a pretty big committee of everybody who could be involved, which is going to take more than 60 days.

Reedus noted Adam Robinson and a couple other people from AIC are here so does he think it would that be sufficient for everybody if AIC reached out to all agencies and AIC will appoint a couple of representatives? Robinson agreed.

Reedus volunteered to chair the subcommittee - to organize the meetings, and to keep the Commission updated on information.

## PROPOSED CHANGES TO AUDIT POLICY:

Kubly shared that in about 2018, the City Council asked staff to come up with an audit policy for accountability with the agencies that they would be funding with public funds. The current audit policy is based on the agency's total annual budget. If they are less than \$100,000, the City requires year-end financial statement signed by the director and board president. From \$100,000 to \$499,999, they require a review by a certified public accountant annually. If the budget is over \$500,000, they would require an actual audit. Staff has been reviewing this requirement because with COVID funding, some of the smaller agencies are having a larger budget and that's triggering the audit requirement. There were some instances where maybe the City is only funding about \$15,000 for their project and the rest is COVID funding or other funding. For these smaller agencies, an audit can cost up to \$10,000 and so staff is feeling that this policy is going to be burdensome on agencies potentially. Staff is proposing to revise the policy and instead of the different levels of budget for all agencies, it will be the same requirements which would be to see copies of their 990 tax forms and then a year end profit and loss statement approved by the board. Many agencies already do audits and staff will be able to review those. To be fair to all agencies and not cause a financial burden, staff is proposing to Council to revise this audit policy.

Reedus agreed it can be financially burdensome, however, is concerned about the plethora of differences that they get in the application process and wonders if the financials are correct. She is concerned, especially about the smaller agencies and their ability to provide accurate profit and loss statements. Maybe there is a way there can be some sort of fillable form or guide for some of the smaller agencies. Otherwise, she is in favor of the changes, although she does think audits are good.

Dennis noted in her experience, audits are very expensive and if the revenue of a nonprofit is less than \$50,000 in one year there's no 990. It's just a postcard that is sent into the IRS. She feels it is good to get profit and loss statements, but thinks they should require a balance sheet as well. Dennis noted it's up to the boards of the nonprofit's because they're the ones that have the fiscal responsibility. If the nonprofit doesn't have the board capability to oversee their fiscal activities, then that would be a concern to even give them any money.

Krotz stated 501 C(3) are required to have a board of directors.

Reedus noted but that doesn't mean that they see their financials so again would suggest there will be the creation of a simple fillable form type thing. She likes the board approval as that was one of her recommendations during the process that they require a year-end financial statement that's been approved by the board, but she would also ask them to include a copy of their minutes that shows that the financial statement were reviewed and approved by the board.

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## **STAFF & COMMISSION UPDATES:**

Thul stated that they are now moving on from Legacy Agencies to the next funding round. At the end of January, the CDBG and HOME applications will be due. Those projects will be affordable housing and public facility projects. Additionally, the Emerging Aid to Agencies applications will be coming through for the newer nonprofit agencies. When staff receive those, they will send them to the Commission for review along with the staff review sheets. Staff review sheets will summarize things and help with calculations for the scoring.

Thul also wanted to mention was there will need to be a slight adjustment to the timeline that was in the agenda packet. The March meeting was originally going to be on the fourth Thursday of the month due to spring break, but there's a conflict with the meeting space. There are five Thursdays in March, so staff is proposing to meet on March 30 instead. Commissioners agree.

## **ADJOURNMENT:**

Krotz moved to adjourn, Dennis seconded the motion, a vote was taken, and the motion passed 7-0.

## Housing and Community Development Commission

Name	Terms Exp.	7/21	9/15	10/20	11/17	1/19				
Beining, Kaleb	6/30/24	х	O/E	Х	х	Х				
Dennis, Maryann	6/30/25	Х	O/E	Х	Х	Х				
Haylett, Jennifer	6/30/25	х	Х	O/E	O/E	Х				
Krotz, Karol	6/30/24	O/E	Х	х	Х	Х				
Marilla-Kapp, Elizabeth	6/30/23	х	O/E	*	*	*	*	*	*	*
Mohammed, Nasr	6/30/23	Х	Х	Х	Х	Х				
Reedus, Becci	6/30/24	х	Х	Х	Х	Х				
Vogel, Kyle	6/30/23	O/E	Х	Х	Х	O/E				
Eckhardt, Michael	6/30/25	( <del>410</del> ))		Х	Х	Х				

Attendance Record 2022-2023

## • Resigned from Commission

<u>Key:</u>

X = Present O = Absent

O/E = Absent/Excused

= Vacant

Item Number: 3.e.



March 7, 2023

Human Rights Commission: January 24

Attachments: Human Rights Commission: January 24

Approved Minutes
Human Rights Commission
January 24, 2023
Helling Conference Room

**Commissioners present:** Sylvia Jons, Bijou Maliabo, Jahnavi Pandya, Roger Lusala, Ahmed Ismail, Doug Kollasch, Badri Kuku, Kelsey Paul Shantz, Suyun Channon.

Staff present: Stefanie Bowers, Veronica May.

Recommendation to City Council: No.

Meeting called to order: 5:32 PM.

Native American Land Acknowledgement: Kollasch read the Land Acknowledgement.

Public comment of items not on the agenda: None.

**Approval of meeting minutes of November 22, 2022:** Paul Shantz noted some grammatical errors that staff updated. Lusala moved, and Jons seconded. Motion passed 9-0.

**Elections for Chair and Vice Chair for 2023:** Maliabo nominated Lusala, Kollasch seconded. Lusala accepted the nomination. Motion passed 9-0. Lusala nominated Jons, Paul Shantz seconded. Jons accepted the nomination. Motion passed 9-0.

## Correspondence

**Letter from Indigenous Community Members of Iowa City:** The commission wants to be part of the solution and prevent incidents like this from reoccurring. Kollasch serves on the School District's Equity Committee and will follow up with them on the letter. Commissioners will actively seek to get information from the authors as to how the School Board responded.

**Letter from Coalition to Abolish Prison Slavery & Change U-lowa English:** Commissioners decided to take it under advisement. The correspondence was received a few hours prior to the meeting time and as a result, the commission has not had the opportunity to read it.

**Racial Equity and Social Justice Grant:** Lusala went over the history of the grant and the process for evaluation.

Four commissioners have conflicts and will not be participating.

Kuku-Sudanese Center of Iowa City (member)

Ismail-Neighborhood Centers of Johnson County (on the board)

Pandya-United Action for Youth and IC Compassion (doing practicum and programming)

Maliabo-Center for Worker Justice (on the board)

#### **Committee Updates:**

Breaking Bread –Kollasch Reciprocal Relationships – Lusala and Jons Building Bridges – Maliabo and Paul Shantz

Lusala, Paul Shantz, and Kollasch went over the role of each committee. Staff noted that the facilitator for the strategic plan will be reaching out to members newly appointed to provide the context of the plan and the resulting committees. The commission will make appointments on the vacancies for the committees at its February meeting date. In the meantime, Kuku, Ismail, Channon, and Pandya will send staff their preferred committee appointment.

Per direction from Mayor Teague, the commission will invite members of a specific community to come to accept proclamations with them at Council meetings. For example, for Black History Month, Lusala will reach out to the Black Voices Project. Ismail and Pandya volunteered to accept the proclamation alongside the Black Voices Project representatives.

Announcements of commissioners: Lusala accepted the proclamation for Martin Luther King Day for the city and for Johnson County. Lusala also participated in the MLK march on January 16. Lusala, Jons, and Channon attended the Lunar New Year celebration held at The Englert Theatre. Jons has begun the second session of the Executive MBA program. Channon spoke on a Dragon & Lion Dance presented by the Iowa City Area Chinese Association at the Iowa City Public Library held on January 23. Kollasch attended a candlelight vigil for those who lost their lives in the LGBTQ nightclub shooting in November. Kollasch also mentioned two bills currently being considered by the Iowa legislature, House Files 8 & 9, related to gay and transgender youth. Kollasch attended Iowa's Justice Summit & Disparities held in Ankeny in December. Paul Shantz reminded commissioners that International Holocaust Remembrance Day is this Friday and that the First Cities Summit of the Americas will be held in April in Denver. Maliabo spoke on one of the world's longest wars occurring in DR Congo and the haunting effect that the war has had not only on persons still there but also on persons who have immigrated to the United States, specifically, to Iowa City to relocate.

Announcements of staff: May highlighted the tour done by her with consumers of Caring Hands, participating in the MLK march and celebration held on January 16, and the new 988 suicide & crisis lifeline. She ended her comments by providing notice of upcoming EDI training for first responders. Bowers asked commissioners who have not yet signed up for orientation to contact her to schedule a time and provided the dates for the youth human rights commission awards, May 10, and the human rights awards breakfast, October 25.

#### Adjourned: 8:05 PM.

The meeting can be viewed at https://citychannel4.com/video.html?series=Local%20Government.

## Human Rights Commission ATTENDANCE RECORD YEAR 2023

(Meeting Date)

	(Meeting Date)											
NAME	TERM EXP.	1/24	2/28	3/28	4/25	5/23	6/27	7/25	8/22	9/26	10/24	11/28
Roger Lusala	2023	P										
Bijou Maliabo	2023	P										
Kelsey Paul Shantz	2023	P										
Jahnavi Pandya	2024	P										
Sylvia Jons	2024	Р										
Doug Kollasch	2024	P										
Suyun Channon	2025	P										
Ahmed Ismail	2025	P										
Badri Kuku	2025	P										
												U

**KEY:** P = Present

A = Absent

R = Resigned



March 7, 2023

Library Board of Trustees: January 26

Attachments: Library Board of Trustees: January 26



## Iowa City Public Library Board of Trustees Meeting Minutes

January 26, 2023 2<sup>nd</sup> Floor - Boardroom Regular Meeting - 5:00 PM

**FINAL** 

Carol Kirsch - President	Joseph Massa	John Raeburn
Tom Rocklin - Vice President	Claire Matthews	Hannah Shultz
DJ Johnk - Secretary	Robin Paetzold	Dan Stevenson

**Members Present:** DJ Johnk, Carol Kirsch, Joseph Massa, Claire Matthews, Robyn Paetzold, John Raeburn, Tom Rocklin, Hannah Shultz, Dan Stevenson.

Members Absent: None.

**Staff Present:** Elsworth Carman, Anne Mangano, Jen Miller, Brent Palmer, Jason Paulios, Katie Roche.

**Guests Present:** None.

Call Meeting to Order. Kirsch called the meeting to order at 5:03 PM. A quorum was present.

**Approval of January 26, 2023 Board Meeting Agenda.** Kirsch requested to add an agenda item to introduce new Library Trustee, Joseph Massa. Shultz made a motion to approve the new agenda item. Johnk seconded. Rocklin made a motion to approve the Board Meeting Agenda. Shultz seconded. Motion passed 9/0.

Public Discussion, None.

## Items to be Discussed.

**Introduce New Trustee.** Joseph Massa introduced himself and thanked everyone for orientation. In turn, Library Trustees introduced themselves to Massa.

**Strategic Planning Update.** Carman said ICPL is finishing up the third year of a three-year plan Strategic Plan. Carman is thankful for the work of staff and the Leadership Team to meet or exceed many of the stated goals. Carman included the entire strategic plan in the report and highlighted progress from the past six months.

Johnk asked about the Social Work Practicum Students in the Library and wondered what the timeline and communication plan to the Board would be. Paulios met with the Practicum Officer from the School of Social Work and two students about field practicum work at ICPL. This is a new program Kara Logsden (Lecturer at the University of Iowa School of Library and Information Science) helped organize at University of Iowa SLIS. Paulios said a long-term goal of the program is to host a student each semester and report the impact to the City of Iowa City. Johnk noted that Davenport has a full-time Social Worker. Paulios shared Coralville has a



grant for social workers. Massa asked if there were any social workers on staff at ICPL, Carman replied no. Paulios shared the collaboration with the University has been a three-year work in progress. Kirsch asked if the students are onsite and fulltime. Paulios said they will be onsite 8-15 hours per week. Carman wants to see how many hours a practicum student would need to work to have a significant impact.

Raeburn asked who the audience of the Strategic Plan document was. Raeburn noted page 4A3 and was curious what impact is referenced in sentence, "...this change was made without increasing staff and the effects of the additional service hours have an impact across the library". Carman shared the Strategic Plan document is for internal and external audiences and each tactic has supporting documentation. Raeburn noted concern about changes to the availability of compact DVDs and CDs and felt Hoopla serves the need for popular music but other genres are only available through CDs. The impact of losing that collection is significant. Carman said there are a number of challenges maintaining those physical collections and felt the formats were not designed for public use. Staff have to ensure that each item is functional after each checkout. Mangano shared they haven't eliminated the CD collection because there isn't a good replacement yet. Purchasing new CDs is difficult as many publishers are not making them. Johnk asked if there are any other products from a digital distribution standpoint that would meet the needs of the current CD collection. Mangano said there are a few such as Alexander Street Press but they aren't as dynamic. Rocklin asked if it is expensive. Paulios said he doesn't think so but it's like going back in time to the year 2000, it's not intuitive for today. Mangano believes it to be great for academic libraries because it comes with extensive notes and histories but it's not a great choice for public libraries. Mangano also noted many things on Netflix will never be on DVD.

Matthews wondered what the Strategic Plan document looks like at the end of the three-year plan and how it will sing the praises of the work of the Library. Matthews likes the idea of reviewing the work from the last three years with the public. Carman said this has changed over the years and that this is the first plan during his tenure as Director. Carman thinks there will be a narrative report and social media posts. Carman said in some ways this plan is both traditional and non-traditional as it was planned in the very beginning of the COVID-19 pandemic. The plan helped staff serve during crisis and while coming out of the closure and curbside services. Matthews noted community connections with stakeholders like the mobile crisis unit, the school district, Parks & Rec, and Human Rights. Matthews thinks a patron who walks into the library might not see these great connections. Carman shared ICPL's PR staff are newer and have good ideas for celebrating that information with the public.

**2nd Quarter Statistics and Financials Review.** Matthews noted the Finance Committee met and explained some of the financial percentages are dramatic but they are often for small budget lines, once a year purchasing, or scheduled purchases. Kirsch learned about chargebacks and found Carman's summary helpful.

Shultz was amazed by some of the numbers are in the statistic reports. Rocklin said the stats are comprehensive and extensive and wondered where Carman's eye went in the report. Carman looked for big jumps percentage wise and then went back to examine if the changes was expected or unexpected. Carman noted the Expenditures report felt typical overall, though some lines are high and some low. The six-month mark is a great time to note if things are starting to skew but Carman feels confident with the reports.

Kirsch asked about the general Iowa City and download stats. Miller explained the general Iowa City number is for people who live in Iowa City and checked out physical materials while the downloads total is the number of digital materials. Kirsch asked if the general number included the downloads and Miller clarified they are two separate numbers. Mangano shared a lot of these reports are grouped together based on State reporting needs. Mangano noted the Type and Format report condenses collections together when reporting



circulation and explained fluctuations in circulation. Kirsch noted general fiction and fiction express are lumped together but was curious why nonfiction express was broken out. Mangano said it is because the report is broken down by Dewey Decimal numbers. Matthews said it would be interesting to note how programs affect circulation and noted problems finding books in other languages, especially Arabic. Matthews wondered how Helmick's English Language Learning program might affect circulation. Mangano shared ICPL joined the Urban Libraries Council and a discussion this week focused on where to buy books in other languages. Carman continues to hope a major distributor will start to offer a full catalog of non-English titles.

Policy Review: 703 Recording and Streaming Policy. Paulios shared the last time the policy was reviewed Mediacom expired their program and a decision had to be made about what to do with the channel. The bones of the policy are the same but there is more to think about with YouTube channels vs cable programming. The policy committee looked at other library policies but weren't able to find another library with this policy. Rather than scrapping it the committee modified it. Paulios noted staff get many public requests to tape their events and some of the changes to policy suggested are in response to being mindful of staff time. Rocklin asked for clarification on 703.4 about Board access. Paulios said it is in response to posting the Board Meeting videos and language surrounding that has been in the policy since the 1980's. Paetzold said the Board utilized this to explain the needs of the Library when building the new Library. Carman felt it could be relevant with Intellectual Freedom needs. Johnk made motion to approve the policy. Shultz seconded. Motion passed 9/0.

## Staff Reports.

**Director's Report.** Carman said it's important to note that there has been a dense occurrence of patron behavior problems at the Library in January. Entire days were lost following up with patrons, police, and proper reporting. Carman shared the budget is typical for six months reports and noted the budget amendment was suggested by City Finance for clock replacement. Carman met with Rocklin about planning the next Strategic Plan and hopes to have a draft for the Board to review soon.

Paetzold asked if Library behavior issues were mostly adults. Carman said mostly but some involved teens. Paetzold wondered if it would indicative of a rough summer ahead. Carman said he's not ready to make that connection yet and feels the behavior issues are due to scarcity in community resources, especially due to mental health and substance abuse. Staff work really hard to not call the police but Carman has been consistently impressed with police behavior when their services were needed. Paetzold asked about the possibility of a lockdown policy with recent events in the Ped Mall. Carman said the possibility of a lock out and lock down policy are being considered with legal but each situation is unique and that makes it hard to create a policy. Matthews asked if staff have had ALICE training and Carman said yes. Miller said it occurred in the last quarter with staff. Carman discussed complications from the recent Ped Mall event when staff learned of the incident through a Hawk Alert. Carman said the Ped Mall event happened very fast and police had secured the area to restricted foot traffic before staff could be notified. Another incident took longer and Leadership had to decide if was a lock down situation. Paetzold asked if it was recommended by the police to notify patrons using parking ramps of the incident, or what the appropriate action is. Carman explained staff will continue to work on best practices and shared Urban Libraries Council discussions are actively examining what this could look like. Rocklin commented on the role of police making decisions involving multiple city buildings and felt the police should make that call. Carman suggested a policy could be brought to the Board next month or the following month. Carman wants staff to feel empowered by the policy and not worried about breaking rules. Carman shared in these situations patrons may also call the police and staff need to have direct communication in those moments, patrons shouldn't be leading a lockdown situation. Matthews,



in hearing these conversations, hoped ICPL could get a social worker on site. Carman hopes practicum students will help and clarified behavior problems are normal in libraries but recently staff have seen an uptick. Kirsch would like a summary in the Directors Report next month to know if this behavior continues. Mangano shared the Library has been very busy; the Lobby has been full, there's been a line at Help Desk, and computers are full. Carman shared people are relearning how to be in public spaces after the pandemic. Johnk emphasized the importance of taking care of staff and volunteers from a wellness perspective after traumatic events.

## **Departmental Reports:**

**Adult Services.** Paulios shared the Winter Reading Program is going great. Paulios discussed Victoria Fernandez's work with Chelsea Sims at Southeast Junior High and Stacey McKim's rollout of the new Cricut.

Community & Access Services. Helmick absent.

**Development Report.** Paetzold wondered if staff are continuing early programs for patrons with autism. Paulios said there was a program in the last quarter. Paetzold like the report and wondered why the number of gifts decreased. Roche believed this was due to the Development Coordinator position vacancy. Rocklin said there are no United Ways in Iowa with the number of gifts going up, only trending down. People are nervous about the economy and are giving less as the needs for charitable giving go up. Roche said data also supports individuals giving smaller gifts and emphasized the importance of monthly giving.

**Miscellaneous.** Paetzold asked if the community closet program duplicated community services and also wondered if bed bugs were a concern. Paulios shared the program was kept at a manageable level and clothing items were collected from staff. It drew many people but there are no plans for making it larger. ICPL staff identified a need and worked with it. Paetzold said as we see greater community needs libraries are being asked to serve everything and felt it is important to be purposeful about what staff are taking on. Paulios and Carman shared they had many similar conversations but noted its been great to help kids in need of a winter coat. Paulios agrees that clothing drives might be a better model. Rocklin agreed. Stevenson felt it was a targeted program that allowed kids to have some ownership. Matthews said many teen programs last until the teens move away. Paulios felt it was a good way to talk about Black History Month as Black Panther groups held clothing drives.

President's Report. Next meeting is the director evaluation and appointing the nominating committee.

**Announcements from Members.** Johnk asked staff to let the Board know how they can advocate and be supportive of current legislation. Mangano shared ILA has a legislative day Trustees can participate in. Shultz asked if ILA sends out legislative alerts and Paulios said they do.

Committee Reports. Johnk reported the Director Evaluation committee will meet Monday.

Communications. None.

**Consent Agenda.** Matthews made a motion to approve the Consent Agenda. Johnk seconded. Motion passed 9/0.

Set Agenda Order for February Meeting. No changes.

Adjournment. Kirsch adjourned the meeting at 6:17 PM.

Respectfully submitted,

Jen Miller.

Board of Commissions: ICPL Board of Trustees

ATTENDANCE RECORD

Name	Term Expiration	3/24/2022	4/28/2022	5/26/2022	6/23/2022	7/28/2022	8/25/2022	9/22/2022	10/27/2022	11/17/2022	12/15/2022	1/16/2023	2/23/2024
Johnk, DJ	6/30/2025	X	X	X	Х	х	Х	×	х	Х	Х	Х	Х
Kim, Noa	6/30/2027	Х	Х	Х	OE	Х	Х	OE	R	R	R	R	R
Kirsch, Carol	6/30/2023	Х	Х	Х	OE	Х	Х	OE	OE	х	х	Х	Х
Massa, Joseph	6/30/2027											Х	Х
Matthews, Claire	6/30/2023	Х	OE	Х	Х	Х	Х	OĒ	х	OE	х	Х	Х
Paetzold, Robin	6/30/2023	Х	OE	Х	Х	Х	Х	Х	OE	х	Х	Х	Х
Raeburn, John	6/30/2027				Х	Х	Х	Х	Х	х	х	Х	OE
Rocklin, Tom	6/30/2025	X	Х	Х	х	OE	Х	Х	х	х	х	х	Х
Shultz, Hannah	6/30/2025	Х	Х	Х	Х	Х	Х	х	х	х	х	Х	Х
Stevenson, Daniel	6/30/2027	Х	Х	Х	Х	Х	Х	Х	Х	Х	OE	х	Х

KEY:

X PRESENT
O ABSENT

OE EXCUSED ABSENT

NM NO MEETING HELD

R RESIGNED

Item Number: 4.b.



# CITY OF IOWA CITY COUNCIL ACTION REPORT

## March 7, 2023

- 1. Resolution to issue Cigarette Permit to Casey's General Stores, Inc., dba Casey's #4369, 206 E. Benton St.
- 2. Resolution to issue Cigarette Permit to Casey's General Stores, Inc., dba Casey's #4367, 2410 Mormon Trek Blvd.
- 3. Resolution to issue Cigarette Permit to Casey's General Stores, Inc., dba Goodstop By Casey's #4366, 525 Highway 1 W.
- 4. Resolution to issue Cigarette Permit to Mini Paradise, dba Mini Paradise, 341 S. Linn St.
- 5. Resolution to issue Cigarette Permit to Crown Liquor, LLC, dba Crown Liquor & Smoke, 19 Hwy 1 W.

Prepared By: WM
Attachments: cigarette resolution.pdf

Prepared by: City Clerk's Office, 410 E. Wa	shington St., Iowa City, IA 52240 (2	319) 356-5043
Resolution Nu	mber:	
Resolution to Iss	ue Cigarette Permits	
Whereas, the following firms and per required by law for the sale of cigaret		
Now, Therefore, be it Resolved by Tapplications be granted and the City of following named persons and firms to products:	Clerk is hereby directed to issu	ue a permit to the
Casey's #4369,- 206 E. Bento Casey's #4367 - 2410 Mormon Goodstop By Casey's #4366 - The Crown Liquor & Smoke - 1 Mini Paradise - 341 S. Linn	Trek Blvd 525 Highway 1 W. 9 Hwy 1 W.	
Passed and approved thisday	y of	, 20
	Mayor	
	Approved by	
Attest:City Clerk	City Attorney's Office	e
It was moved by	and seconded bycall there were:	the
Ayes:	Nays:	Absent:
		Alter Bergus Dunn Harmsen Taylor Teague



# COUNCIL ACTION REPORT

## March 7, 2023

Resolution establishing a schedule of rates and charges for Oakland Cemetery and rescinding Resolution No. 16-53.

Prepared By: Susan Dulek, First Ass't. City Attorney

Reviewed By: Geoff Fruin, City Manager

Brad Barker, Recreation Superintendent

Fiscal Impact: Incremental fee increases for internments, equipment,

additional services and lot sales will accrue additional revenue and help offset increasing operational expenses.

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: Resolution.docx

Cemetery Rates and Charges.pdf

## **Executive Summary:**

The lowa City Code provides rates and charges for services and burial spaces for Oakland Cemetery shall be established by Council resolution. Council last adopted a full schedule of rates and charges in 2016 although some changes have since been adopted as part of the Council resolution approving the Parks and Rec fee schedule.

## **Background / Analysis:**

FY24 cemetery fees are proposed to increase from FY23 rates for internments, equipment, additional services and lot sales.

- Internment fee increases range from 1.1-4.5%.
- Fee increases for columbarium niche costs are not proposed.
- Equipment and additional service fee increases range from 1.8-5.6%.
- Lot sale fee increases range from 1.6-3.3%.

Prepared by: Susan Dulek,	First Ass't. City Atty, 4	410 E. Washington St., Iowa Ci	ty, IA 52240; 319/356-5030

Resolution N	No
Resolution establishing a sch Cemetery and rescinding Res	nedule of rates and charges for Oakland solution No. 16-53.
Whereas, Section 10-7-3 of the Iowa City Coc spaces for Oakland Cemetery shall be estab	de provides rates and charges for services and burial lished by resolution of the City Council; and
Whereas, City Council adopted a schedule of	f rates and charges in Resolution No. 16-53; and
Whereas, it is in the public interest to adopt for Oakland Cemetery.	the attached revised schedule of rates and charges
Now, therefore, be it resolved by the City Co	uncil of the City of Iowa City, Iowa that:
<ol> <li>The attached schedule of rates and July 1, 2023.</li> </ol>	d charges for Oakland Cemetery is adopted effective
2. Resolution No. 16-53 is rescinded	d effective July 1, 2023.
Passed and approved this day	of, 2023.
Mayor	
Attest:City Clerk	
•	Approved By:
į	City Attorney's Office

## RATES AND CHARGES for FY24 OAKLAND CEMETERY

<b>INTERMENTS</b>
(City residents)

ТҮРЕ	WEEKDAY			FULL WEEKEND/			
		Sat. before 1pm / S	AY *** Sai. after 1pm and Sunday all day	HOLIDAY  (fidl=open & close grave on weekend)			
Infant	\$145.00	\$195.00	\$230.00	\$245.00			
Youth	\$450.00	\$615.00	\$750.00	\$850.00			
Adult	\$785.00	\$1000.00	\$1150.00	\$1250.00			
Cremation	\$345.00	\$450.00	\$515.00	\$560.00			
Columbarium Niches	\$300.00	\$400.00	\$475.00	\$515.00			
Non-Resident	+ 50%		50%	+ 50%			
Disinterment	Double the appropriate	uble the appropriate resident/non-resident weekday charge (minimum).					

## **EQUIPMENT AND ADDITIONAL SERVICES**

\$110.00	\$200.00	\$200.00
\$170.00	\$280.00	\$280.00
\$280.00	N/A	N/A
NC*	\$95.00	\$95.00
Actual Cost	N/A	N/A
	\$170.00 \$280.00 NC*	\$170.00 \$280.00 \$280.00 N/A NC* \$95.00

## LOT SALES

MONUMENT AREAS	FLUSH MARKER AREAS
N/A	\$345.00
\$900.00**	\$785.00**
N/A	\$450.00
N/A	\$900.00
N/A	Single Niche \$900.00
	Double (dual) Niche \$1550.00
+ 50%	+ 50%
	N/A \$900.00** N/A N/A N/A

- \* Actual cost when overtime is incurred.
- \*\* Can accommodate up to four cremation interments.
- \*\*\* Partial = open grave weekday & close weekend or open weekend & close weekday.

Item Number: 5.b.

March 7, 2023

Resolution accepting the work for the Rochester Avenue Electrical Conversion Project.

Prepared By: Justin Harland, Sr. Engineer Reviewed By: Jason Havel, City Engineer

Ron Knoche, Public Works Director

Geoff Fruin, City Manager

Fiscal Impact: None
Staff Recommendation: Approval
Commission Recommendations: N/A

Attachments: Engineer's Report

Resolution

## **Executive Summary:**

The project has been completed by Price Electric, LLC of Robins, 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: \$45,000.00
Project Bid Received: \$73,400.00
Project Actual Cost: \$73,400.00

## **Background / Analysis:**

The Rochester Avenue Electrical Conversion Project involved installing connections of the electrical service equipment to the new underground service and removal of abandoned equipment at 27 residential properties. Connections were coordinated with MidAmerican Energy and included, but were not limited to, conversion of the service entrances and meter bases.



410 East Washington Street Iowa City, Iowa 52240 - 1826 (319) 356 - 5000 (319) 356 - 5009 FAX www.icgov.org

## **ENGINEER'S REPORT**

February 23, 2023

City Clerk Iowa City, Iowa

Re: Rochester Avenue Electrical Conversion Project

Dear City Clerk:

I hereby certify that the Rochester Avenue Electrical Conversion Project has been completed by Price Electric, LLC of Robins, Iowa, in substantial accordance with the Project Manual developed by the City of Iowa City Engineering Division.

The project was bid as a unit price contract and the final contract price is \$74,300.00.

There were no change orders on this project.

I recommend that the above-referenced project be accepted by the City of Iowa City.

Sincerely,

Jason Havel, PE City Engineer Resolution No.

Resolution accepting the work for the Rochester Avenue Electrical Conversion Project
Whereas, the Engineering Division has recommended that the work for construction of the Rochester Avenue Electrical Conversion Project, as included in a contract between the City of Iowa City and Price Electric, LLC. of Robins, Iowa, dated April 27 <sup>th</sup> , 2022, be accepted; and
Whereas, the Engineer's Report and the performance, payment and maintenance bond have been filed in the City Engineer's office; and
Whereas, funds for this project are available in the Rochester Avenue Reconstruction from Ralston Creek to N First Avenue Project account # S3950; and
Whereas, the final contract price is \$73,400.00.

Passed and approved this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2023 Mayor Approved by Attest: \_\_\_\_ City Clerk City Attorney's Office It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ the Resolution be adopted, and upon roll call there were: Ayes: Nays: Absent: \_\_\_\_ Alter \_\_\_\_\_ Bergus \_\_\_\_\_ Dunn \_\_\_\_\_ Harmsen \_\_\_\_\_ Taylor Teague
Thomas

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that said

improvements are hereby accepted by the City of Iowa City, Iowa.



# COUNCIL ACTION REPORT

## March 7, 2023

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 The Franks Design Group, PC to provide engineering consultant services for the Iowa City Senior Center Exterior Building Envelope Preservation, Restoration and Rehabilitation Project.

Prepared By: Ben Clark, Sr. Engineer

Reviewed By: Kumi Morris, Facilities Manager

LaTasha DeLoach, Senior Center Coordinator

Jason Havel, City Engineer

Ron Knoche, Public Works Director

Geoff Fruin, City Manager

Fiscal Impact: \$294,370.00 available in the Senior Center Facility Exterior

Improvements account #K1001

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: Resolution

Agreement

## **Executive Summary:**

This agenda item authorizes an agreement to provide consultant services for the Iowa City Senior Center Exterior Building Envelope Preservation, Restoration and Rehabilitation Project.

## **Background / Analysis:**

The lowa City Senior Center (ICSC) is located in a historic building at the corner of Linn Street and Washington Street in downtown lowa City. It provides programming to support wellness, social connections, community engagement and lifelong learning for a diverse and growing older adult population. The building structure was originally constructed as a post office in 1904 and expanded in 1931. It remained the City's central post office until 1975 when, after two-years of vacancy, it was purchased by the City and renovated for its current use. The structure has been on the National Register of Historic Places since 1979.

An assessment of the building's exterior was conducted as part of the Senior Center Assessment and Master Plan, dated March 2, 2022, which identified several areas in need of restoration and rehabilitation, including the limestone veneer, parapet, block arches and panels, cornice, elastomeric sealants, wood window frame elements, window sills, carved scrolling brackets, raised panels and windows. This project will also mitigate and repair major moisture issues permeating into the interior finishes of the building.

The Consultant's scope of work includes design, bidding and construction phase act the context of a historic building preservation project.	tivities in

Resolution	No.	

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 The Franks Design Group, PC to provide engineering consultant services for the Iowa City Senior Center Exterior Building Envelope Preservation, Restoration and Rehabilitation Project

Whereas, the City desires the services of a qualified firm to provide Engineering and Architectural Services for The Iowa City Senior Center Exterior Building Envelope Preservation, Restoration and Rehabilitation Project, hereinafter referred to as the Project; and

Whereas, the Project is located at the "Old Post Office" which now houses The Iowa City Senior Center, 28 S. Linn Street, Iowa City, Iowa; and

Whereas, the building is listed on the National Register of Historic Places; and

Whereas, an exterior assessment identified several areas in need of restoration and rehabilitation including the limestone veneer, parapet, block arches and panels, cornice, elastomeric sealants, wood window frame elements, window sills, carved scrolling brackets, raised panels and windows; and

Whereas, the Consultant was sole-sourced based on their experience with the building and qualifications related to historic preservation; and

Whereas, the City of Iowa City has negotiated an Agreement for said consulting services with The Franks Design Group, PC, of Glenwood, Iowa, to provide said services; and

Whereas, it is in the public interest to enter into said Consultant Agreement with The Franks Design Group, PC, of Glenwood, Iowa; and

Whereas, funds for this project are available in the Senior Center Facility Exterior Improvements account # K1001.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

- 1. The Consultant Agreement attached hereto is in the public interest, and is approved as to form and content.
- 2. The Mayor and City Clerk are hereby authorized and directed to execute the attached Consultant Agreement.
- 3. The City Manager is authorized to execute amendments to the Consultant Agreement as they may become necessary.

Resolution No Page 2			
Passed and approved this	_ day of	, 2023	
	Mayor	Approved by	
Attest: City Clerk		City Attorney's Office	ce
It was moved byadopted, and upon roll call there were			the Resolution be
Ayes:	Nays:	Absent:	
		Alter Bergus Dunn Harmsen Taylor Teague Thomas	

## **Consultant Agreement**

This Agreement, made and entered into this \_\_\_\_\_\_ day of \_\_\_\_\_\_, by and between the City of Iowa City, a municipal corporation, hereinafter referred to as the City and The Franks Design Group, PC, of Glenwood, Iowa, hereinafter referred to as the Consultant.

Whereas, the City desires the services of a qualified firm to provide Engineering and Architectural Services for The Iowa City Senior Center Exterior Building Envelope Preservation, Restoration and Rehabilitation Project, hereinafter referred to as the Project; and

Whereas, the Project is located at the "Old Post Office" which now houses The Iowa City Senior Center, 28 S. Linn Street, Iowa City, Iowa; and

Whereas, the building is listed on the National Register of Historic Places; and

Whereas, the Consultant prepared Appendix 1: Exterior Historic Assessment, dated December 23, 2021, included in the Senior Center Assessment and Master Plan, dated March 2, 2022; and

Whereas, the exterior assessment identified several areas in need of restoration and rehabilitation including the limestone veneer, parapet, block arches and panels, cornice, elastomeric sealants, wood window frame elements, window sills, carved scrolling brackets, raised panels and windows; and

Whereas, a pre-design scope determination study determined the scope of work to be executed in the context of a building envelope rehabilitation project; and

Whereas, the scope of services in this agreement includes design, procurement and construction phase services based on the Project Scoping Report, dated December 21, 2022; and

Whereas, the Consultant was sole sourced based on their experience with the building and qualifications related to historic preservation; and

Whereas, funds are available in the Senior Center Facility Exterior Improvements account #K1001.

Now Therefore, it is agreed by and between the parties hereto that the City does now contract with the Consultant to provide services as set forth herein.

## I. Scope of Services

The anticipated Project Scope is outlined in Exhibit A. Consultant agrees to perform the Scope of Consultant's Services outlined in Exhibit B and to do so in a timely and satisfactory manner.

## II. Time of Completion

The Consultant shall complete the following phases of the Project in accordance with the schedule shown.

Design Development	March 31, 2023
Construction Documents	May 19, 2023
Procurement	August 18, 2023

## III. Compensation for Services

Consultant shall be compensated for performing the Scope of Services on an hourly rate and reimbursable expense unit cost basis in accordance with Exhibit C, 2023 Standard Hourly Rates, attached hereto and incorporated herein by this reference, not to exceed Two Hundred Ninety-Four Thousand Three Hundred Seventy Dollars (\$294,370.00) as outlined below:

#### A. Services:

Design Development	\$55,674.00
Construction Documents	\$111,348.00
Procurement-phase Services	\$13,918.50
Construction-phase Services	\$97,429.50
Subtotal	\$278,370.00

## B. Reimbursables

Mileage	\$6.130.80
In-house printing	\$480.00
Lodging	\$5,760.00
Per Diem	\$1,800,00
Misc. Expenses Allowance	\$1,829.20
Subtotal	\$16,000.00

## Total Not-to-Exceed Amount for Services.....\$294,370.00

## IV. General Terms

- A The Consultant shall not commit any of the following employment practices and agrees to prohibit the following practices in any subcontracts.
  - 1. To discharge or refuse to hire any individual because of their race, color, religion, sex, national origin, disability, age, marital status, gender identity, or sexual orientation.
  - 2. To discriminate against any individual in terms, conditions, or privileges of employment because of their race, color, religion, sex, national origin, disability, age, marital status, gender identity, or sexual orientation.
- B Should the City terminate this Agreement, the Consultant shall be paid for all work and services performed up to the time of termination. However, such sums shall not be greater than the "not-to-exceed" amount listed in Section III. The City may terminate this Agreement upon seven (7) calendar days' written notice to the Consultant.
- C This Agreement shall be binding upon the successors and assigns of the parties hereto, provided that no assignment shall be without the written consent of all Parties to said Agreement.
- D It is understood and agreed that the retention of the Consultant by the City for the purpose of the Project shall be as an independent contractor and shall be exclusive, but the Consultant shall have the right to employ such assistance as may be required for the performance of the Project.

- E It is agreed by the City that all records and files pertaining to information needed by the Consultant for the Project shall be available by said City upon reasonable request to the Consultant. The City agrees to furnish all reasonable assistance in the use of these records and files.
- F It is further agreed that no Party to this Agreement shall perform contrary to any state, federal, or local law or any of the ordinances of the City of Iowa City, Iowa.
- G At the request of the City, the Consultant shall attend meetings of the City Council relative to the work set forth in this Agreement. Any requests made by the City shall be given with reasonable notice to the Consultant to assure attendance.
- H The Consultant agrees to furnish, upon termination of this Agreement and upon demand by the City, copies of all basic notes and sketches, charts, computations, and any other data prepared or obtained by the Consultant pursuant to this Agreement without cost, and without restrictions or limitation as to the use relative to specific Projects covered under this Agreement. In such event, the Consultant shall not be liable for the City's use of such documents on other Projects.
- The Consultant agrees to furnish all reports, specifications, and drawings with the seal of a licensed professional as required by lowa law.
- The City agrees to tender the Consultant all fees in a timely manner, excepting, however, that failure of the Consultant to satisfactorily perform in accordance with this Agreement shall constitute grounds for the City to withhold payment of the amount sufficient to properly complete the Project in accordance with this Agreement.
- K Should any section of this Agreement be found invalid, it is agreed that the remaining portion shall be deemed severable from the invalid portion and continue in full force and effect.
- Consultant Shall be contract drawings shall become the property of the City. The Consultant shall be allowed to keep reproducible copies for the Consultant's own filing use.
- M Fees paid for securing approval of authorities having jurisdiction over the Project will be paid by the City.
- Upon signing this Agreement, Consultant acknowledges that Section 362.5 of the lowa Code prohibits a City officer or employee from having an interest in a contract with the City, and certifies that no employee or officer of the City, which includes members of the City Council and City boards and commissions, has an interest, either direct or indirect, in this Agreement, that does not fall within the exceptions to said statutory provision enumerated in Section 362.5.
- O Indemnification

- To the full extent permitted by law, Consultant agrees to defend, indemnify, and hold harmless the City against any and all claims, demands, suits, loss, expenses, including attorney's fees, and for any damages which may be asserted, claimed or recovered against or from the City by reason of personal injury, including bodily injury or death, and property damages, including loss of use thereof, caused by Consultant's negligent acts, errors or omissions in performing the work and/or services provided by Consultant to the City pursuant to the provisions of this Agreement.
- 2. Consultant assumes full responsibility for any and all damage or injuries which may result to any person or property by reason of Consultant's negligent acts, errors or omissions in connection with the work and/or services provided by Consultant to the City pursuant to this Agreement, and agrees to pay the City for all damages caused to the City's premises resulting from the negligent acts, errors or omissions of Consultant.
- 3. The Consultant's obligation to indemnify the City shall not include the obligation to indemnify, hold harmless, or defend the City against lability, claims, damages, losses, or expenses, including attorney fees, to the extent caused by or resulting from the negligent act, error, or omission of the City.
- 4. For purposes of this paragraph, the term "Consultant" means and includes the Consultant, its officers, agents, employees, sub-consultants, and others for whom Consultant is legally liable, and the term "City" means and includes the City of Iowa City, Iowa its Mayor, City Council members, employees, and volunteers.

## P Insurance

- 1. The Consultant agrees at all times material to this Agreement to have and maintain professional liability insurance covering the Consultant's liability for the Consultant's negligent acts, errors and omissions in the sum of \$1,000,000 Per Claim, \$1,000,000 Annual Aggregate, or a \$1,000,000 Combined Single Limit. To the fullest extent permitted by applicable state law, a Waiver of Subrogation Clause (endorsement) shall be added.
- 2. Consultant agrees to provide the City a certificate of insurance evidencing that all coverages, limits and endorsements required herein are maintained and in full force and effect, and certificates of Insurance shall provide a minimum thirty (30) day endeavor to notify, when available by Consultant's insurer. If the Consultant receives a non-renewal or cancellation notice from an insurance carrier affording coverage required herein, or receives notice that coverage no longer complies with the insurance requirements herein, Consultant agrees to notify the City within five (5) business days with a copy of the non-renewal or cancellation notice.

### Q Standard of Care

- The Consultant shall perform services for, and furnish deliverables to, the City pertaining to the Project as set forth in this Agreement. The Consultant shall possess a degree of learning, care and skill ordinarily possessed by reputable professionals, practicing in this area under similar circumstances. The Consultant shall use reasonable diligence and professional judgment in the exercise of skill and application of learning.
- 2. Consultant represents that the Services and all its components shall be free of defects caused by negligence; shall be performed in a manner consistent with the standard of care of other professional service providers in a similar Industry and application; shall conform to the requirements of this Agreement; and shall be sufficient and suitable for the purposes expressed in this Agreement.
- 3. All provisions of this Agreement shall be reconciled in accordance with the generally accepted standards of the Engineering Profession.
- Consultant's obligations under this Section shall exist without regard to, and shall not be construed to be waived by, the availability or unavailability of any insurance, either of City or Consultant.
- R There are no other considerations or monies contingent upon or resulting from the execution of this Agreement, it is the entire Agreement, and no other monies or considerations have been solicited.
- This Agreement shall be interpreted and enforced in accordance with the laws of the State of Iowa. Any legal proceeding instituted with respect to this Agreement shall be brought in a court of competent jurisdiction in Johnson County, Iowa. The parties hereto hereby submit to personal jurisdiction therein and irrevocably waive any objection as to venue therein, including any argument that such proceeding has been brought in an inconvenient forum.

For the City	For the Consultant	
Ву:	ву:	
Title:	Title: PRESIDENT	
Date:	Date: 2 · 27 · 2023	
Attest:	Approved by:	
	City Attorney's Office	
	Date	

## EXHIBIT A - ANTICIPATED PROJECT SCOPE

- A. Parapet concerns at solid wall/pier parapet segments (course 29-34):
  - a. Parapet walls out of plumb, significantly in some locations, and leaning outward.
    - i. The causation of this was previously unknown. After additional investigation, the outward thrust is attributable to the common brick backup used at the parapet piers expanding over time. This expansion is attributable to moisture infiltration and freeze-thaw action.
      - It should be noted that this appears to be an original building defect, of sorts, and the (original 1930) choice of materials at the back of the parapet piers hastened the long-term problems that have been observed.
    - ii. There is evidence of multiple repairs to the brick, including new brick installed at two piers and several iterations of tuckpointing.
    - iii. This common brick is also creating a pathway for water infiltration into the attic/above-ceiling space at the upper level and plaster deterioration above the lay-in ceiling.
    - iv. Parapet movement at corners is evident in the brick backup and especially the limestone cladding.

## b. Anticipated Project Scope to include the following:

- 1. Dismantle parapets and reconstruct to correct for determined causation. Re-use existing limestone as condition warrants, fabricate and install new stone where fractured or substantially eroded. Balustrade caps and balusters are the most perishable existing elements and should be replaced with new elements to duplicate the originals.
- B. Open balustrade segments of parapet area (course 29–33)
  - a. Open parapet balustrade caps (precast concrete circa 1970? installation date unknown) are failing from water infiltration and freeze-thaw disintegration.
  - b. Individual limestone baluster elements are eroded and approximately 25% appear to have fractures and/or prior repairs.
  - c. Anticipated Project Scope to include the following:
    - Dismantle parapets and reconstruct to correct for determined causation. Re-use existing limestone as condition warrants, fabricate and install new stone where fractured or substantially eroded. Balustrade caps and balusters are the most perishable existing elements and should be replaced with new elements to duplicate the originals.

#### C. Exterior Limestone veneer, generally:

- a. Joints at limestone panels and blocks have been variously repaired over time including multiple iterations of grinding and repointing and installation of elastomeric sealants Mortar at a great many limestone joints is failing or is no longer bridging the full width of the joint.
- b. Erosion varies widely from panel to panel. The natural variations in the Bedford Limestone veneer are evident with some stone panels and elements showing substantial surface erosion from general exposure over the decades, while most of the panels retain good integrity and the original milled surface texture. The highly eroded panels are more absorptive and will likely deteriorate more rapidly, as compared to the balance of the surrounding stone panels, due to freeze-thaw action. The 6+ year recommendation includes long-term remove/replace for Limestone that is compromised by fracturing and erosion.
- c. Some limestone blocks and panels have fractures, spalling, erosion, stress cracks and other issues.

#### d. Anticipated Project Scope related to the above:

1. Implement a comprehensive masonry restoration project, including pointing all joints and grinding and pointing all fractures determined to be static.

#### D. Specific stone issues:

a. Limestone block arches have shifted and dropped at two west (front) arched openings. After further investigation, it appears the limestone veneer has shifted and disengaged from the back-up brick behind.

#### b. Anticipated Project Scope related to the above:

- 1. In the course of the masonry repair work, these shifted stone veneer sections should be raised into their correct positions and secured to the back-up using embedded spiral masonry ties.
- 2. 3-5 years: Correct for determined causation.
- c. Limestone panels above main arches show fractures above several arches.

#### d. Anticipated Project Scope related to the above:

- 1. Implement a comprehensive masonry restoration project, including pointing all joints and grinding and pointing all fractures determined to be static.
- e. The deep stone panel cornice (course 21) has a broad sky-facing horizontal exposure. The top face of the cornice is 24"-27" deep and is sloped to drain at the exterior vertical face. The top face is eroded, collects drifted snow and ice, and collects airborne soils. The cornice does not have a drip edge in the stone profile, so surface water tends to cling to the face and track soils with it. First impressions of the building are formed, and informed, by this staining. When the building was young, the milled surface of the cornice would have been smoother and water repellent. With decades of exposure and saturation the surface has become more porous.

#### f. Anticipated Project Scope related to the above:

- 1. Implement a comprehensive masonry restoration project, including pointing all joints and grinding and pointing all fractures determined to be static.
- 2. Install a new metal or composite top panel superimposed over the top surface of the cornice, which incorporates a drip edge so the building will more readily shed water, rather than it clinging to the building face. This can be done in a manner that has minimal impact of the building's overall historic character and with minimal permanent effect on the historic fabric (very long-term reversibility).
- E. Elastomeric sealants, where appropriately used, have failed creating open pathways for moisture infiltration.
  - a. The exterior limestone is a porous and absorptive material. Joints between stone elements should use a soft mortar that closely matches the physical properties of the stone itself, so far as physical hardness, expansion/contraction, and absorbency. As with historic brick, the use of a conventional masonry mortar that is harder than the stone can impeded expansion and respiration and result in spalling and other damage at the stone area adjacent to the mortar. Elastomeric sealants should be used where dissimilar materials abut the stone. Otherwise, stone joints should be pointed and/or packed with appropriate mortar that matches the physical properties and the color and texture of the stone.

#### b. Anticipated Project Scope related to the above:

- 1. Implement a comprehensive masonry restoration project, including removal and replacement of all elastomeric sealants at appropriate conditions (in lieu of mortar).
- F. Built-up wood window frame elements are not adequately protected with joint sealants and paints. These are important character-defining elements of the building's historic fabric and should be repaired and preserved.

#### a. Anticipated Project Scope related to the above:

- 1. In conjunction with the window replacement portion of the proposed project, a repair and restoration project should be incorporated. Any moisture deteriorated wood should be repaired using epoxy-based repair products.
- G. Built-up wood window sills, carved wood scrolling brackets below the sills and raised panel areas below the sills frame elements are not adequately protected with joint sealants and paints. The sills have been covered with pre-finished sheet metal. The condition of the underlying wood is unknown. These are important character-defining elements of the building's historic fabric and should be repaired and preserved.

#### a. Anticipated Project Scope related to the above:

 Existing sheet metal sill cladding to remain. Exposed painted wood should be repaired and restored. Any moisture deteriorated wood should be repaired using epoxy-based repair products. H. The windows are replacement windows installed where The Center was converted to City use as the senior center in 1979-80. The insulating glass seals have failed at many lights and the windows are at the end of their service life and should be replaced.

### a. Anticipated Project Scope related to the above:

1. Existing (replacement) windows should be removed and replaced. New windows should have divided lights based on historic documentation.

#### EXHIBIT B: SCOPE OF CONSULTANT'S SERVICES rev 2023-02-22

#### Initial Information and Background

The subject property for this project is The Center – The Old Post Office; an existing three-story building constructed as the US Post Office in 1929-1930 and rehabilitated into its current Senior Center use in 1979-80. The building is listed in The National Register of Historic Places.

The Consultant was previously selected to serve as a Preservation Consultant for the The Center - Exterior Building Envelope Preservation, Restoration and Rehabilitation Project. Under an initial prior agreement, a Project Scoping Report was prepared, outlining the investigative process as well as the conclusions and recommendations for the project Scope of Work.

The Owner wishes to proceed with development of design and construction of the project. The scope of work generally includes the following: reconstruction of the building parapets to correct for the out-of-plumb condition previously identified, exterior stone veneer masonry repair and restoration, and replacement of doors and windows. A more complete scope of work can be found in the excerpt from the Project Scoping Report (Exhibit A).

The Scope of Services under this agreement shall cover Design Development, Construction Documents, Procurement, and Construction-phase activities.

The pre-design construction cost estimate for the scope of work recommended is \$2,256,310.00.

#### Services

#### **Design Development Phase Services**

Based on the Owner's approval of the Project Scope Determination Report (pre-design), and on the Owner's authorization of any adjustments in the Project requirements and the budget for the Cost of the Work, the Consultant shall prepare Design Development Documents for the Owner's approval. The Design Development Documents shall illustrate and describe the development of the approved Schematic Design Documents and shall consist of drawings and other documents including plans, sections, elevations, typical construction details, and diagrammatic layouts of building systems to fix and describe the size and character of the Project. The Design Development Documents shall also include outline specifications that identify major materials and systems and establish, in general, their quality levels.

The Consultant shall update the estimate of the Cost of the Work.

The Consultant shall submit the Design Development Documents to the Owner, advise the Owner of any adjustments to the estimate of the Cost of the Work, and request the Owner's approval.

#### **Construction Documents Phase Services**

Based on the Owner's approval of the Design Development Documents, and on the Owner's authorization of any adjustments in the Project requirements and the budget for the Cost of the Work, the Consultant shall prepare Construction Documents for the Owner's approval. The Construction Documents shall illustrate and describe the further development of the approved Design Development Documents and shall consist of Drawings and Specifications setting forth in detail the quality levels and performance criteria of materials and systems and other requirements for the construction of the Work. The Owner and Consultant acknowledge that, in order to perform the Work, the Contractor will provide additional information, including Shop Drawings, Product Data, Samples and other similar submittals, which the Consultant shall review.

The Consultant shall incorporate the design requirements of governmental authorities having jurisdiction over the Project into the Construction Documents.

During the development of the Construction Documents, the Consultant shall assist the Owner in the development and preparation of (1) procurement information that describes the time, place, and conditions of bidding, including bidding or proposal forms; (2) the form of agreement between the Owner and Contractor; and (3) the Conditions of the Contract for Construction (General, Supplementary and other Conditions). The Consultant shall also compile a project manual that includes the Conditions of the Contract for Construction and Specifications, and may include bidding requirements and sample forms.

The Consultant shall update the estimate for the Cost of the Work.

The Consultant shall submit the Construction Documents to the Owner, advise the Owner of any adjustments to the estimate of the Cost of the Work, take any action required, and request the Owner's approval.

#### **Procurement-Phase Services**

#### General

Following the Owner's approval of the Construction Documents, the Consultant shall assist the Owner in (1) obtaining competitive bids; (2) confirming responsiveness of bids; (3) determining the successful bid, if any; and, (4) awarding and preparing contracts for construction.

#### Competitive Bidding

Bidding Documents shall consist of bidding requirements and proposed Contract Documents.

The Consultant shall assist the Owner in bidding the Project by:

- .1 facilitating the distribution of Bidding Documents to prospective bidders;
- .2 organizing and conducting a pre-bid conference for prospective bidders;
- .3 preparing responses to questions from prospective bidders and providing clarifications and interpretations of the Bidding Documents to the prospective bidders in the form of addenda; and,
- .4 organizing and conducting the opening of the bids, and subsequently documenting and distributing the bidding results, as directed by the Owner.

If the Bidding Documents permit substitutions, upon the Owner's written authorization, the Consultant shall consider requests for substitutions and prepare and distribute addenda identifying approved substitutions to all prospective bidders.

#### Construction-Phase Services

#### General

The Consultant shall provide administration of the Contract between the Owner and the Contractor as set forth below and in AIA Document A201–2017, General Conditions of the Contract for Construction (General Conditions, Supplementary Conditions, and other Conditions incorporated into the Contract Documents). If the Owner and Contractor modify AIA Document A201–2017, those modifications shall not affect the Consultant's services under this Agreement unless the Owner and the Consultant amend this Agreement.

The Consultant shall advise and consult with the Owner during the Construction Phase Services. The Consultant shall have authority to act on behalf of the Owner only to the extent provided in this Agreement. The Consultant shall not have control over, charge of, or responsibility for the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, nor shall the Consultant be responsible for the Contractor's failure to perform the Work in accordance with the requirements of the Contract Documents. The Consultant shall be responsible for the Consultant's negligent acts or omissions, but shall not have control over or charge of, and shall not be responsible for, acts or omissions of the Contractor or of any other persons or entities performing portions of the Work.

The Consultant's responsibility to provide Construction Phase Services commences with the award of the Contract for Construction and terminates upon final acceptance by the City Council.

#### **Evaluations of the Work**

The Consultant shall visit the site at intervals appropriate to the stage of construction to become generally familiar with the progress and quality of the portion of the Work completed, and to determine, in general, if the Work observed is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents. However, the Consultant shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. On the basis of the site visits, the Consultant shall keep the Owner reasonably informed about the progress and quality of the portion of the Work completed, and promptly report to the Owner (1) known deviations from the Contract Documents, (2) known deviations from the most recent construction schedule submitted by the Contractor, and (3) defects and deficiencies observed in the Work.

The Consultant has the authority to reject Work that does not conform to the Contract Documents. Whenever the Consultant considers it necessary or advisable, the Consultant shall have the authority to require inspection or testing of the Work in accordance with the provisions of the Contract Documents, whether or not the Work is fabricated, installed or completed. However, neither this authority of the Consultant nor a decision made in good faith either to exercise or not to exercise such authority shall give rise to a duty or responsibility

of the Consultant to the Contractor, Subcontractors, suppliers, their agents or employees, or other persons or entities performing portions of the Work.

The Consultant shall interpret and decide matters concerning performance under, and requirements of, the Contract Documents on written request of either the Owner or Contractor. The Consultant's response to such requests shall be made in writing within any time limits agreed upon or otherwise with reasonable promptness.

Interpretations and decisions of the Consultant shall be consistent with the intent of, and reasonably inferable from, the Contract Documents and shall be in writing or in the form of drawings. When making such interpretations and decisions, the Consultant shall endeavor to secure faithful performance by both Owner and Contractor and shall not be liable for results of interpretations or decisions rendered in good faith. The Consultant's decisions on matters relating to aesthetic effect shall be final if consistent with the intent expressed in the Contract Documents.

Unless the Owner and Contractor designate another person to serve as an Initial Decision Maker, as that term is defined in AIA Document A201–2017, the Consultant shall render initial decisions on Claims between the Owner and Contractor as provided in the Contract Documents.

#### Certificates for Payment to Contractor

The Consultant shall review and certify the amounts due the Contractor and shall issue certificates in such amounts. The Consultant's certification for payment shall constitute a representation to the Owner, based on the Consultant's evaluation of the Work and on the data comprising the Contractor's Application for Payment, that, to the best of the Consultant's knowledge, information and belief, the Work has progressed to the point indicated, the quality of the Work is in accordance with the Contract Documents, and that the Contractor is entitled to payment in the amount certified. The foregoing representations are subject to (1) an evaluation of the Work for conformance with the Contract Documents upon Substantial Completion, (2) results of subsequent tests and inspections, (3) correction of minor deviations from the Contract Documents prior to completion, and (4) specific qualifications expressed by the Consultant.

The issuance of a Certificate for Payment shall not be a representation that the Consultant has (1) made exhaustive or continuous on-site inspections to check the quality or quantity of the Work, (2) reviewed construction means, methods, techniques, sequences or procedures, (3) reviewed copies of requisitions received from Subcontractors and suppliers and other data requested by the Owner to substantiate the Contractor's right to payment, or (4) ascertained how or for what purpose the Contractor has used money previously paid on account of the Contract Sum.

The Consultant shall maintain a record of the Applications and Certificates for Payment.

#### Submittals

The Consultant shall review the Contractor's submittal schedule and shall not unreasonably delay or withhold approval of the schedule. The Consultant's action in reviewing submittals shall be taken in accordance with the approved submittal schedule or, in the absence of an approved submittal schedule, with reasonable

promptness while allowing sufficient time, in the Consultant's professional judgment, to permit adequate review.

The Consultant shall review and approve, or take other appropriate action upon, the Contractor's submittals such as Shop Drawings, Product Data and Samples, but only for the limited purpose of checking for conformance with information given and the design concept expressed in the Contract Documents. Review of such submittals is not for the purpose of determining the accuracy and completeness of other information such as dimensions, quantities, and installation or performance of equipment or systems, which are the Contractor's responsibility. The Consultant's review shall not constitute approval of safety precautions or construction means, methods, techniques, sequences or procedures. The Consultant's approval of a specific item shall not indicate approval of an assembly of which the item is a component.

If the Contract Documents specifically require the Contractor to provide professional design services or certifications by a design professional related to systems, materials, or equipment, the Consultant shall specify the appropriate performance and design criteria that such services must satisfy. The Consultant shall review and take appropriate action on Shop Drawings and other submittals related to the Work designed or certified by the Contractor's design professional, provided the submittals bear such professional's seal and signature when submitted to the Consultant. The Consultant's review shall be for the limited purpose of checking for conformance with information given and the design concept expressed in the Contract Documents. The Consultant shall be entitled to rely upon, and shall not be responsible for, the adequacy and accuracy of the services, certifications, and approvals performed or provided by such design professionals.

The Consultant shall review and respond to requests for information about the Contract Documents. The Consultant shall set forth, in the Contract Documents, the requirements for requests for information. Requests for information shall include, at a minimum, a detailed written statement that indicates the specific Drawings or Specifications in need of clarification and the nature of the clarification requested. The Consultant's response to such requests shall be made in writing within any time limits agreed upon, or otherwise with reasonable promptness. If appropriate, the Consultant shall prepare and issue supplemental Drawings and Specifications in response to the requests for information.

The Consultant shall maintain a record of submittals and copies of submittals supplied by the Contractor in accordance with the requirements of the Contract Documents.

#### Changes in the Work

The Consultant may order minor changes in the Work that are consistent with the intent of the Contract Documents and do not involve an adjustment in the Contract Sum or an extension of the Contract Time. The Consultant shall prepare Change Orders and Construction Change Directives for the Owner's approval and execution in accordance with the Contract Documents.

The Consultant shall maintain records relative to changes in the Work.

#### **Project Completion**

The Consultant shall:

- .1 conduct inspections to determine the date or dates of Substantial Completion and the date of final completion;
- .2 issue Certificates of Substantial Completion;
- .3 forward to the Owner, for the Owner's review and records, written warranties and related documents required by the Contract Documents and received from the Contractor; and,
- .4 issue a final Certificate for Payment based upon a final inspection indicating that, to the best of the Consultant's knowledge, information, and belief, the Work complies with the requirements of the Contract Documents.

The Consultant's inspections shall be conducted with the Owner to check conformance of the Work with the requirements of the Contract Documents and to verify the accuracy and completeness of the list submitted by the Contractor of Work to be completed or corrected.

When Substantial Completion has been achieved, the Consultant shall inform the Owner about the balance of the Contract Sum remaining to be paid the Contractor, including the amount to be retained from the Contract Sum, if any, for final completion or correction of the Work.

The Consultant shall forward to the Owner the following information received from the Contractor: (1) consent of surety or sureties, if any, to reduction in or partial release of retainage or the making of final payment; (2) affidavits, receipts, releases and waivers of liens, or bonds indemnifying the Owner against liens; and (3) any other documentation required of the Contractor under the Contract Documents.

Upon request of the Owner, and prior to the expiration of one year from the date of Substantial Completion, the Consultant shall, without additional compensation, conduct a meeting with the Owner to review the facility operations and performance.

## The Franks Design Group, PC

### 2023 Standard Hourly Rates

Architect/Principal \$ 140.00/hour

Project Architect/Technician I \$ 120.00/hour

Design Staff/Technician II \$ 105.00/hour

Design Staff/Technician III \$ 90.00/hour

Clerical/Support \$ 55.00/hour

Any consultants required for the services will, likewise, be invoiced per their standard hourly rates, unless otherwise indicated in the Agreement.

Typical reimbursable expense unit costs:

Mileage (2023 standard IRS rate) \$ 0.655/mile

In-house printing & plotting:

24" x 36" blackline sheets \$ 2.50/sheet

11" x 17" blackline sheets \$ 0.30/sheet

8 ½" x 11" color printing \$ 0.50/page

Per Diem for out-of-office sustenance \$25.00/day/person

Other direct expenses such as outside printing, shipping, lodging & out-of-office sustenance, etc. are in addition to fees for professional services, unless otherwise indicated in the Agreement.

Item Number: 5.d.



# COUNCIL ACTION REPORT

#### March 7, 2023

Resolution authorizing the procurement of one (1) new aerial bucket truck.

Prepared By: Dan Striegel, Equipment Superintendent

Reviewed By: Juli Seydell-Johnson, Parks and Recreation Director

Ron Knoche, Public Works Director

Geoff Fruin, City Manager

Fiscal Impact: \$179,774 funds are available account #'s10530300 and

10530225

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: Aerial Bucket Truck - Resolution.docx

#### **Executive Summary:**

At the March 7, 2023 City Council meeting, consideration will be given to a resolution authorizing the procurement of one (1) new aerial bucket truck. The truck will include a Versalift model VST-52-I insulated articulating and telescoping aerial bucket body package mounted on a new Dodge Ram 5500 4x4 chassis.

Sourcewell Cooperative contract 110421-TIM will be utilized for the procurement of the turn-key aerial bucket truck from ABM Equipment in Hopkins, MN. Price of the truck with contract discount is \$179,774.00 as per Versalift/Sourcewell quotation N-23652 dated February 13, 2023. This truck is prebuilt and available for delivery approximately 30 days after a PO is issued.

#### **Background / Analysis:**

The Forestry Division has funding approved in fiscal year 2023 for the purchase of a small aerial lift bucket truck as a fleet increase. This truck will increase efficiency of Forestry operations by allowing a two-crew system to simultaneously work at separate locations on most types of Forestry tasks. The smaller footprint of this truck will also allow for more maneuverability in harder to access locations along trails and natural areas. Additionally, this truck will decrease response time in emergency situations and natural disasters.

Prepared by: Dan Striegel, Equipment	t Superintendent, 1200 S. F	Riverside Drive, Iowa City, IA 52246 (319) 356-5197
	Resolution No	
Resolution authoria	zing the procurer	ment of one (1) new aerial
Whereas, a fleet increase for ar fiscal year 2023; and	ı aerial bucket truck ha	s been approved for the Forestry Division in
Whereas, Sourcewell cooperati aerial bucket truck; and	ve contract 110421-TI	M will be utilized for the procurement of the
Whereas, the total purchase price	ce of the truck is \$179,	774.00; and
Whereas, the amount exceeds the City Council approval; and	ne City Manager's sper	nding authority of \$150,000.00, thus requiring
Whereas, funds for this purchas	e are available in acco	unts 10530300 and 10530225; and
Whereas, approval of this procu	rement is in the public	interest.
Now, therefore, be it resolved by	y the City Council of th	e City of Iowa City, Iowa, that:
The proposed procurement	as described above is	approved.
The City Manager is author approve any change orders  Passed and approved this	that may develop.	necessary to effectuate the purchase and
- acced and appreved and	aay o	
	Mayor	Approved by
Attest:City Clerk		City Attorney's Office
It was moved byadopted, and upon roll call there	and seconde were:	d by the Resolution be
Ayes:	Nays:	Absent:
		Alter Bergus Dunn Harmsen Taylor Teague
		Thomas



# COUNCIL ACTION REPORT

#### March 7, 2023

Resolution awarding contract and authorizing the Mayor to sign and the City Clerk to attest a contract for construction of the J Street Sanitary Sewer Replacement Project.

Prepared By: Joe Welter, Sr. Engineer
Reviewed By: Jason Havel, City Engineer

Ron Knoche, Public Works Director

Geoff Fruin, City Manager

Fiscal Impact: \$541,552.00 available in the Annual Sewer Main

Replacement account, Account #V3101

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: Resolution

#### **Executive Summary:**

This item awards the contract for construction of the J Street Sanitary Sewer Replacement Project. The engineer's estimated cost for construction of the project was \$550,000 and three responsive/responsible bids were received prior to the February 28, 2023 deadline:

Bidder Name City Bid
Dave Schmitt Construction Co., Inc.
All American Concrete, Inc.
Maxwell Construction, Inc.
Tschiggfrie Excavating Co.
City Bid
Cedar Rapids, Iowa \$541,552.00
West Liberty, Iowa \$544,345.50
Iowa City, Iowa \$598,506.00
Dubuque, Iowa Non-Responsive

Dave Schmitt Construction Co, Inc. of Cedar Rapids, Iowa submitted the lowest responsive, responsible bid and staff recommends awarding the Contract for the J Street Sanitary Sewer Replacement Construction Project to Dave Schmitt Construction Co., Inc.

#### **Background / Analysis:**

The existing sanitary sewer system along J Street has a variety of deficiencies and needs to be replaced, as rehabilitation of the existing pipes is not possible. Approximately 290 linear feet of new eight-inch sewer main will be installed to replace the existing deficient pipe. Sanitary sewer services will be reconnected to the new main. Minor water main improvements will be made along the corridor and sidewalk infill will occur, making a connection between First and Third Avenues. This is particularly important given the proximity of the junior high and recreation center. The areas excavated for sewer and water main installation will be restored with pavement, seeding, or sodding.

	Resolution No	
	Resolution awarding contract and authorand the City Clerk to attest a contract Street Sanitary Sewer Replacement Project	for construction of the J
	as, Dave Schmitt Construction Co., Inc. of Cedar R sible bid of \$541,552.00 for construction of the above	
	as, funds for this project are available in the Annuer V3101.	al Sewer Main Replacement, Account
Now, th	nerefore, be it resolved by the City Council of the City	of Iowa City, Iowa, that:
1.	The contract for the construction of the above-name Schmitt Construction Co., Inc., subject to the comperformance and payment bond, insurance certificates statements.	ndition that awardee secure adequate
2.	The Mayor is hereby authorized to sign and the construction of the above-named project, subject adequate performance and payment bond, insurance program statements.	to the condition that awardee secure
3.	The City Engineer and City Manager are authorized the City's Purchasing Policy as they may become above-named project.	
Passed	d and approved this day of	, 2023
	Mayor	Approved by
Attest :	;	
	City Clerk	City Attorney's Office
It was adopte	moved by and seconded by d, and upon roll call there were:	the Resolution be

Ayes: Nays: Absent: Alter Bergus Dunn \_\_\_\_\_ Harmsen \_\_\_\_\_ Taylor \_ Teague \_\_\_\_\_ Thomas



# COUNCIL ACTION REPORT

#### March 7, 2023

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$7,610,000 General Obligation Bonds of the City of Iowa City, State of Iowa (for essential corporate purposes) and providing for publication of notice thereof.

Prepared By: Nicole Davies, Finance Director

Reviewed By: Geoff Fruin, City Manager

Fiscal Impact: Adopted as part of the FY2023 Revised Budget and 2023-

2027 Capital Improvement Program.

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: 2023 General Obligation Bonds Project Schedule by Hearing Type.xlsx

Iowa City (143) - ECP-1 Fix Date Proceedings 2023A GO BONDS

(02162605x7F7E1).docx

#### **Executive Summary:**

There are four resolutions for the formal City Council meeting on March 7th that are setting public hearings regarding the issuance of the 2023 General Obligation Bonds. The hearings are being scheduled for March 21st.

Attached is a project schedule by hearing for the 2023 General Obligation Bonds. There are four hearing required for the 2023 general obligation bond issue.

#### **Background / Analysis:**

The City issues bonds every spring to fund the current year's capital improvement projects listed in the Five-Year Capital Improvement Program.

The City's bond attorney, Kristin Billingsley Cooper, determines the number of bond resolutions required based upon the purpose and classification of the bonds being issued. Iowa state code classifies general obligation bonds as either General or Essential. General obligation bonds classified as General are limited to \$700,000 per project and are subject to reverse referendum within 30 days of adoption of the resolution. General obligation bonds classified as Essential do not have a \$700,000 project expense cap and are not subject to reverse referendum.

The public hearings for the 2023 General Obligation Bond issue have a total combined issuance amount of not to exceed \$9,710,000 for projects totaling \$9,510,000. The difference between the two amounts is the estimated bond issuance costs.

# 2023 General Obligation Bonds Project Schedule by Hearing Type

Proj. #	Project Name	Description	Туре	Essential Purpose	General Purpose - Terrill Mill Skate Park	General Purpose - Mercer Park Ball Diamonds	General Purpose - Roof BAS, Fire Slab, Flooring, Generator, Festival Stage
P3989	American Legion Rd/First Ave Landscaping Project	Intall plantings within the American Legion Road and Scott Boulevard and the First Avenue and Scott Boulevard roundabouts as well as street trees along American Legion Road from Scott Boulevard to Taft Avenue.	Streets	\$ 400,000			
R4359	Kiwanis Park Playground & Shelter Renovation	Renovate Nature Play Area and replace shelter at Kiwanis Park. Project also adds concrete paths for increased accessibility and additional opportunities for creek access.	Parks	\$ 350,000			
R4365	Hickory Hill Park Conklin St Imp & Master Plan Update	Replace picinic shelter and restrooms at Conklin Street entrance to Hickory Hill Park. Project also replaces the parking lot and driveway. Project also will include an update to the master plan.	Parks	\$ 400,000			
R4371	Happy Hollow Playground Replacement	Replace playground at Happy Hollow Park. Project also includes new concrete paths for accessibility and improvements to the baseball field.	Parks	\$ 200,000			
R4375	Hunter's Run Park Playground & Shelter	Replace playground at Hunter's Run Park. Project also adds concrete paths for increased accessibility.	Parks	\$ 300,000			
S3956	Gilbert Street Bridge Replacement	Replace the existing Gilbert Street Bridge over Ralston Creek. Project will also include removal and replacement of slope protection, sidewalk, storm sewer, water main, roadway paving and other related work.	Streets	\$ 3,175,000			
S3984	High Street & Southgate Ave Sidewalk Infill	Construct sidewalk along High Street between 1801 High Street and Morningside Drive as well as along Southgate Avenue between 303 and 367 Southgate Avenue.	Sidewalks	\$ 110,000			
Z4406	Fire Apparatus Replacement	Replacment of 3 fire apparatuses.	Fire Equipment	\$ 1,800,000			
R4387	Willow Creek Trail Replacement	Approximately 0.8 miles of 10-foot wide from Benton St to Willow Creek Dr including a spur of the trail connecting to Aber Ave.	Trails	\$ 700,000			
R4372	Terrell Mill Skate Park Redevelopment	Renovation of skatepark and addition of concrete paths for increased accessibility. Project also will include the addition of a bicycle pump track. Enhanced site lighting will also be included.	Recreation		\$ 700,000		
R4374	Mercer Park Ball Diamond Improvements	Implement field playability and spectator enhancements, safety improvements and increased accessibility.	Recreation			\$ 700,000	
R4381	Event Facility Improvements	Renovate Riverside Festival Stage	Buildings				\$ 300,000
Y4447	Animal Shelter Standby Generator	Provides a natural gas generator at the Animal Shelter which would be able to maintain the environment during a power outage.	Buildings				\$ 110,000
Z4410	Fire Station #1 Carpet/Tile Flooring Replacement	Replace the carpet and tile flooring throughout Fire Station1.	Buildings				\$ 85,000
Z4409	Fire Station #1 Apparatus Bay Slab Reconstruction	This project will reconstruct the floor slab in the apparatus bay of Fire Station 1.	Buildings				\$ 70,000
Z4412	Fire Station #2 Roof Replacement	Design and replace the 2009 patched standing seam metal roof above common area living quarters.	Buildings				\$ 110,000
	GO Bond 2022 Project Totals			\$ 7,435,000	\$ 700,000	\$ 700,000	\$ 675,000 \$ 9,510,000

Public Hearing Amount \$ 7,610,000 \$ 700,000 \$ 700,000 \$ 9,710,000 \$ 9,710,000

## Items to Include on Agenda

## City of Iowa City, Iowa

Not to Exceed \$7	.610.000	General	Obligation	Bonds	(ECP-1	L)

• Resolution fixing date for a meeting on the proposition to issue.

Notice Must Be Given Pursuant to Iowa Code Chapter 21 and the Local Rules of the City.

•	of the City of Iowa City, State of Iow	
	Harvat Hall, City Hall, 410 E. Washin There were present Mayor  Members:	
Absent: _		
Vacant: _		

\* \* \* \* \* \* \*

Council Member	introduced the following Resolution
entitled "Resolution Fixing Date for a Me	eting on the Proposition of the Issuance of Not To
Exceed \$7,610,000 General Obligation Be	onds of The City of Iowa City, State of Iowa (For
Essential Corporate Purposes), and Provide	ling for Publication of Notice Thereof", and moved that
the same be adopted. Council Member	seconded the motion
to adopt. The roll was called and the vote	e was,
Ayes:	
Nays:	

.136 1

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$7,610,000 General Obligation Bonds of The City of Iowa City, State of Iowa (For Essential Corporate Purposes), And Providing for Publication of Notice Thereof

Whereas, it is deemed necessary and advisable that the City of Iowa City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$7,610,000, as authorized by Section 384.25, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential corporate purpose project(s) as hereinafter described; and

Whereas, before the Bonds may be issued, it is necessary to comply with the provisions of the Code, and to publish a notice of the proposal to issue such bonds and of the time and place of the meeting at which the Council proposes to take action for the issuance of the Bonds and to receive oral and/or written objections from any resident or property owner of the City to such action.

Now, Therefore, Be It Resolved by The City Council of City of Iowa City, State of Iowa:

Section 1. That this Council meet in the Emma J. Harvat Hall, City Hall, 410 E. Washington, Iowa City, Iowa, at 6:00 P.M., on the 21<sup>st</sup> day of March, 2023, for the purpose of taking action on the matter of the issuance of not to exceed \$7,610,000 General Obligation Bonds, for essential corporate purposes, the proceeds of which bonds will be used to provide funds to pay the costs of the opening, widening, extending, grading and drainage of the right-of-way of streets, highways, avenues, alleys, and public grounds; the construction, reconstruction, and repairing of any street and streetscape improvements, including landscaping and the replacement or planting of trees in public areas, related utility work, traffic control devices, lighting, sidewalks, and the acquisition of real estate for such purposes; equipping the fire department; the acquisition, construction, reconstruction, enlargement, improvement, and repair

of bridges, culverts, retaining walls, viaducts, underpasses, grade crossing separations, and approaches thereto; and the rehabilitation and improvement of parks already owned, including facilities, equipment and improvements commonly found in city parks.

Section 2. To the extent any of the projects or activities described in this resolution may be reasonably construed to be included in more than one classification under Subchapter III of Chapter 384 of the Code of Iowa, the Council hereby elects the "essential corporate purpose" classification and procedure with respect to each such project or activity, pursuant to Section 384.28 of the Code of Iowa.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 4. The notice of the proposed action to issue bonds shall be in substantially the following form:

(To be published between: March 8, 2023 and March 10, 2023)

Notice of Meeting of the City Council of The City of Iowa City, State of Iowa, on the Matter of the Proposed Issuance of Not to Exceed \$7,610,000 General Obligation Bonds of the City (For Essential Corporate Purposes), and the Hearing on the Issuance Thereof

Public Notice is hereby given that the City Council of the City of Iowa City, State of Iowa, will hold a public hearing on the 21st day of March, 2023, at 6:00 P.M., in the Emma J. Harvat Hall, City Hall, 410 E. Washington, Iowa City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$7,610,000 General Obligation Bonds, for essential corporate purposes, to provide funds to pay the costs of the opening, widening, extending, grading and drainage of the right-of-way of streets, highways, avenues, alleys, and public grounds; the construction, reconstruction, and repairing of any street and streetscape improvements, including landscaping and the replacement or planting of trees in public areas, related utility work, traffic control devices, lighting, sidewalks, and the acquisition of real estate for such purposes; equipping the fire department; the acquisition, construction, reconstruction, enlargement, improvement, and repair of bridges, culverts, retaining walls, viaducts, underpasses, grade crossing separations, and approaches thereto; and the rehabilitation and improvement of parks already owned, including facilities, equipment and improvements commonly found in city parks.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Iowa City, State of Iowa, as provided by Section 384.25 of the Code of Iowa.

Dated this	day of	, 2023.
		City Clerk, City of Iowa City, State of Iowa
	(End	d of Notice)

	Mayor	
Attest:		
City Clerk		

Passed and Approved this 7<sup>th</sup> day of March, 2023.

Certificate	

State of Iowa	)
	) SS
County of Johnson	)

I, the undersigned City Clerk of the City of Iowa City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council	l hereto affixed this day of	
, 2023.		
City	Clerk, City of Iowa City, State of Iowa	

(Seal)

Certif	ïcate
State of Iowa	) ) SS
County of Johnson	)
I, the undersigned, do hereby certify that I mentioned, the duly qualified and acting Clerk of Johnson, State of Iowa, and that as such Clerk and I have caused a	the City of Iowa City, in the County of
	ablic Hearing heral Obligation Bonds) (ECP-1)
of which the clipping annexed to the publisher's as a correct and complete copy, to be published as relegal newspaper published at least once weekly, published regularly and mailed through the post of and which has had for more than two years a bone laws of the United States, and has a general circuit published in all of the issues thereof published and	equired by law in the Iowa City Press-Citizen, a printed wholly in the English language, office of current entry for more than two years a fide paid circulation recognized by the postal lation in the City, and that the Notice was

\_\_\_\_\_\_, 2023.

WITNESS my official signature this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2023.

City Clerk, City of Iowa City, State of Iowa

(Seal)



# COUNCIL ACTION REPORT

#### March 7, 2023

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$700,000 General Obligation Bonds of the City of Iowa City, State of Iowa (for general corporate purposes) and providing for publication of notice thereof.

Prepared By: Nicole Davies, Finance Director

Reviewed By: Geoff Fruin, City Manager

Fiscal Impact: Adopted as part of the FY2023 Revised Budget and 2023-

2027 Capital Improvement Program.

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: 2023 General Obligation Bonds Project Schedule by Hearing Type.xlsx

Iowa City (143) - GCP-2 Fix Date Proceedings 2023A GO BONDS

(02162620x7F7E1).docx

#### **Executive Summary:**

There are four resolutions for the formal City Council meeting on March 7th that are setting public hearings regarding the issuance of the 2023 General Obligation Bonds. The hearings are being scheduled for March 21st.

Attached is a project schedule by hearing for the 2023 General Obligation Bonds. There are four hearing required for the 2023 general obligation bond issue.

#### **Background / Analysis:**

The City issues bonds every spring to fund the current year's capital improvement projects listed in the Five-Year Capital Improvement Program.

The City's bond attorney, Kristin Billingsley Cooper, determines the number of bond resolutions required based upon the purpose and classification of the bonds being issued. Iowa state code classifies general obligation bonds as either General or Essential. General obligation bonds classified as General are limited to \$700,000 per project and are subject to reverse referendum within 30 days of adoption of the resolution. General obligation bonds classified as Essential do not have a \$700,000 project expense cap and are not subject to reverse referendum.

The public hearings for the 2023 General Obligation Bond issue have a total combined issuance amount of not to exceed \$9,710,000 for projects totaling \$9,510,000. The difference between the two amounts is the estimated bond issuance costs.

# 2023 General Obligation Bonds Project Schedule by Hearing Type

Proj. #	Project Name	Description	Туре	Essential Purpose	General Purpose - Terrill Mill Skate Park	General Purpose - Mercer Park Ball Diamonds	General Purpose - Roof BAS, Fire Slab, Flooring, Generator, Festival Stage
P3989	American Legion Rd/First Ave Landscaping Project	Intall plantings within the American Legion Road and Scott Boulevard and the First Avenue and Scott Boulevard roundabouts as well as street trees along American Legion Road from Scott Boulevard to Taft Avenue.	Streets	\$ 400,000			
R4359	Kiwanis Park Playground & Shelter Renovation	Renovate Nature Play Area and replace shelter at Kiwanis Park. Project also adds concrete paths for increased accessibility and additional opportunities for creek access.	Parks	\$ 350,000			
R4365	Hickory Hill Park Conklin St Imp & Master Plan Update	Replace picinic shelter and restrooms at Conklin Street entrance to Hickory Hill Park. Project also replaces the parking lot and driveway. Project also will include an update to the master plan.	Parks	\$ 400,000			
R4371	Happy Hollow Playground Replacement	Replace playground at Happy Hollow Park. Project also includes new concrete paths for accessibility and improvements to the baseball field.	Parks	\$ 200,000			
R4375	Hunter's Run Park Playground & Shelter	Replace playground at Hunter's Run Park. Project also adds concrete paths for increased accessibility.	Parks	\$ 300,000			
S3956	Gilbert Street Bridge Replacement	Replace the existing Gilbert Street Bridge over Ralston Creek. Project will also include removal and replacement of slope protection, sidewalk, storm sewer, water main, roadway paving and other related work.	Streets	\$ 3,175,000			
S3984	High Street & Southgate Ave Sidewalk Infill	Construct sidewalk along High Street between 1801 High Street and Morningside Drive as well as along Southgate Avenue between 303 and 367 Southgate Avenue.	Sidewalks	\$ 110,000			
Z4406	Fire Apparatus Replacement	Replacment of 3 fire apparatuses.	Fire Equipment	\$ 1,800,000			
R4387	Willow Creek Trail Replacement	Approximately 0.8 miles of 10-foot wide from Benton St to Willow Creek Dr including a spur of the trail connecting to Aber Ave.	Trails	\$ 700,000			
R4372	Terrell Mill Skate Park Redevelopment	Renovation of skatepark and addition of concrete paths for increased accessibility. Project also will include the addition of a bicycle pump track. Enhanced site lighting will also be included.	Recreation		\$ 700,000		
R4374	Mercer Park Ball Diamond Improvements	Implement field playability and spectator enhancements, safety improvements and increased accessibility.	Recreation			\$ 700,000	
R4381	Event Facility Improvements	Renovate Riverside Festival Stage	Buildings				\$ 300,000
Y4447	Animal Shelter Standby Generator	Provides a natural gas generator at the Animal Shelter which would be able to maintain the environment during a power outage.	Buildings				\$ 110,000
Z4410	Fire Station #1 Carpet/Tile Flooring Replacement	Replace the carpet and tile flooring throughout Fire Station1.	Buildings				\$ 85,000
Z4409	Fire Station #1 Apparatus Bay Slab Reconstruction	This project will reconstruct the floor slab in the apparatus bay of Fire Station 1.	Buildings				\$ 70,000
Z4412	Fire Station #2 Roof Replacement	Design and replace the 2009 patched standing seam metal roof above common area living quarters.	Buildings				\$ 110,000
	GO Bond 2022 Project Totals			\$ 7,435,000	\$ 700,000	\$ 700,000	\$ 675,000 \$ 9,510,000

Public Hearing Amount \$ 7,610,000 \$ 700,000 \$ 700,000 \$ 9,710,000 \$ 9,710,000

## Items to Include on Agenda

## City of Iowa City, Iowa

Not to Exceed	\$700,000	General	<b>Obligation</b>	Bonds (	(GCP-2)	)

Resolution fixing date for a meeting on the proposition to issue.

Notice Must Be Given Pursuant to Iowa Code Chapter 21 and the Local Rules of the City.

•	of the City of Iowa City, State of Iow	
	Iarvat Hall, City Hall, 410 E. Washin There were present Mayor Members:	•
Absent: _		
Vacant: _		

\* \* \* \* \* \* \*

Council Member	introduced the following Resolution
entitled "Resolution Fixing Date for a Mee	ting on the Proposition of the Issuance of Not to
Exceed \$700,000 General Obligation Bond	ds of the City of Iowa City, State of Iowa (For General
Corporate Purposes), and Providing For Pu	ablication of Notice Thereof", and moved that the
same be adopted. Council Member	seconded the motion to
adopt. The roll was called and the vote wa	
_	
Ayes:	
Nays:	

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1.1 C 11 ' D 1."

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$700,000 General Obligation Bonds of the City of Iowa City, State of Iowa (For General Corporate Purposes), and Providing for Publication of Notice Thereof

Whereas, it is deemed necessary and advisable that the City of Iowa City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$700,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

Whereas, the Issuer has a population of more than 5,000 but not more than 75,000, and the Bonds for these purposes do not exceed \$700,000; and

Whereas, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds and the right to petition for an election.

Now, Therefore, Be It Resolved By the City Council of City of Iowa City, State of Iowa:

Section 1. That this Council meet in the Emma J. Harvat Hall, City Hall, 410 E. Washington, Iowa City, Iowa, at 6:00 P.M., on the 21<sup>st</sup> day of March, 2023, for the purpose of taking action on the matter of the issuance of not to exceed \$700,000 General Obligation Bonds, for general corporate purposes, the proceeds of which bonds will be used to provide funds to pay the costs of the acquisition, reconstruction, redevelopment and equipping of the Terrell Mill Skate Park and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 3. The notice of the proposed action to issue bonds shall be in substantially the following form:

(To be published between: March 8, 2023 and March 10, 2023)

Notice of Meeting of the City Council of The City of Iowa City, State of Iowa, on the Matter of The Proposed Issuance of Not To Exceed \$700,000 General Obligation Bonds of the City (For General Corporate Purposes), And The Hearing On The Issuance Thereof

Public Notice is hereby given that the City Council of the City of Iowa City, State of Iowa, will hold a public hearing on the 21<sup>st</sup> day of March, 2023, at 6:00 P.M., in the Emma J. Harvat Hall, City Hall, 410 E. Washington, Iowa City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Bonds to be issued to provide funds to pay the costs of the acquisition, reconstruction, redevelopment and equipping of the Terrell Mill Skate Park.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Section 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Iowa City, State of Iowa, as provided by Section 384.26 of the Code of Iowa.

Dated this	day of	, 2023.
		City Clerk, City of Iowa City, State of Iowa
	(End	of Notice)

	Mayor	
Attest:		
City Clerk		

Passed and Approved this 21st day of March, 2023.

)
) SS

Certificate

County of Johnson

State of Iowa

I, the undersigned City Clerk of the City of Iowa City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

Witness my hand and the seal of the C	Council hereto affixed this	day of
, 2023.		-
	City Clerk, City of Iowa City	State of Iowa

(Seal)

Certi	ificate	
State of Iowa	)	
County of Johnson	) SS )	
I, the undersigned, do hereby certify that mentioned, the duly qualified and acting Clerk of Johnson, State of Iowa, and that as such Clerk at I have caused a	of the City of Iowa City, in the Co	ounty of
	Public Hearing Beral Obligation Bonds) (GCP-2)	
of which the clipping annexed to the publisher's a correct and complete copy, to be published as a legal newspaper published at least once weekly, published regularly and mailed through the post and which has had for more than two years a borlaws of the United States, and has a general circupublished in all of the issues thereof published a	required by law in the Iowa City printed wholly in the English lan office of current entry for more na fide paid circulation recognized ulation in the City, and that the N	Press-Citizen, a nguage, than two years ed by the postal Notice was
	, 2023.	
WITNESS my official signature this	day of	, 2023.

City Clerk, City of Iowa City, State of Iowa

(Seal)



# COUNCIL ACTION REPORT

#### March 7, 2023

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$700,000 General Obligation Bonds of the City of Iowa City, State of Iowa (for general corporate purposes) and providing for publication of notice thereof.

Prepared By: Nicole Davies, Finance Director

Reviewed By: Geoff Fruin, City Manager

Fiscal Impact: Adopted as part of the FY2023 Revised Budget and 2023-

2027 Capital Improvement Program.

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: 2023 General Obligation Bonds Project Schedule by Hearing Type.xlsx

Iowa City (143) - GCP-3 Fix Date Proceedings 2023A GO BONDS

(02162716x7F7E1).docx

#### **Executive Summary:**

There are four resolutions for the formal City Council meeting on March 7th that are setting public hearings regarding the issuance of the 2023 General Obligation Bonds. The hearings are being scheduled for March 21st.

Attached is a project schedule by hearing for the 2023 General Obligation Bonds. There are four hearing required for the 2023 general obligation bond issue.

#### Background / Analysis:

The City issues bonds every spring to fund the current year's capital improvement projects listed in the Five-Year Capital Improvement Program.

The City's bond attorney, Kristin Billingsley Cooper, determines the number of bond resolutions required based upon the purpose and classification of the bonds being issued. Iowa state code classifies general obligation bonds as either General or Essential. General obligation bonds classified as General are limited to \$700,000 per project and are subject to reverse referendum within 30 days of adoption of the resolution. General obligation bonds classified as Essential do not have a \$700,000 project expense cap and are not subject to reverse referendum.

The public hearings for the 2023 General Obligation Bond issue have a total combined issuance amount of not to exceed \$9,710,000 for projects totaling \$9,510,000. The difference between the two amounts is the estimated bond issuance costs.

# 2023 General Obligation Bonds Project Schedule by Hearing Type

Proj. #	Project Name	Description	Туре	Essential Purpose	General Purpose - Terrill Mill Skate Park	General Purpose - Mercer Park Ball Diamonds	General Purpose - Roof BAS, Fire Slab, Flooring, Generator, Festival Stage
P3989	American Legion Rd/First Ave Landscaping Project	Intall plantings within the American Legion Road and Scott Boulevard and the First Avenue and Scott Boulevard roundabouts as well as street trees along American Legion Road from Scott Boulevard to Taft Avenue.	Streets	\$ 400,000			
R4359	Kiwanis Park Playground & Shelter Renovation	Renovate Nature Play Area and replace shelter at Kiwanis Park. Project also adds concrete paths for increased accessibility and additional opportunities for creek access.	Parks	\$ 350,000			
R4365	Hickory Hill Park Conklin St Imp & Master Plan Update	Replace picinic shelter and restrooms at Conklin Street entrance to Hickory Hill Park. Project also replaces the parking lot and driveway. Project also will include an update to the master plan.	Parks	\$ 400,000			
R4371	Happy Hollow Playground Replacement	Replace playground at Happy Hollow Park. Project also includes new concrete paths for accessibility and improvements to the baseball field.	Parks	\$ 200,000			
R4375	Hunter's Run Park Playground & Shelter	Replace playground at Hunter's Run Park. Project also adds concrete paths for increased accessibility.	Parks	\$ 300,000			
S3956	Gilbert Street Bridge Replacement	Replace the existing Gilbert Street Bridge over Ralston Creek. Project will also include removal and replacement of slope protection, sidewalk, storm sewer, water main, roadway paving and other related work.	Streets	\$ 3,175,000			
S3984	High Street & Southgate Ave Sidewalk Infill	Construct sidewalk along High Street between 1801 High Street and Morningside Drive as well as along Southgate Avenue between 303 and 367 Southgate Avenue.	Sidewalks	\$ 110,000			
Z4406	Fire Apparatus Replacement	Replacment of 3 fire apparatuses.	Fire Equipment	\$ 1,800,000			
R4387	Willow Creek Trail Replacement	Approximately 0.8 miles of 10-foot wide from Benton St to Willow Creek Dr including a spur of the trail connecting to Aber Ave.	Trails	\$ 700,000			
R4372	Terrell Mill Skate Park Redevelopment	Renovation of skatepark and addition of concrete paths for increased accessibility. Project also will include the addition of a bicycle pump track. Enhanced site lighting will also be included.	Recreation		\$ 700,000		
R4374	Mercer Park Ball Diamond Improvements	Implement field playability and spectator enhancements, safety improvements and increased accessibility.	Recreation			\$ 700,000	
R4381	Event Facility Improvements	Renovate Riverside Festival Stage	Buildings				\$ 300,000
Y4447	Animal Shelter Standby Generator	Provides a natural gas generator at the Animal Shelter which would be able to maintain the environment during a power outage.	Buildings				\$ 110,000
Z4410	Fire Station #1 Carpet/Tile Flooring Replacement	Replace the carpet and tile flooring throughout Fire Station1.	Buildings				\$ 85,000
Z4409	Fire Station #1 Apparatus Bay Slab Reconstruction	This project will reconstruct the floor slab in the apparatus bay of Fire Station 1.	Buildings				\$ 70,000
Z4412	Fire Station #2 Roof Replacement	Design and replace the 2009 patched standing seam metal roof above common area living quarters.	Buildings				\$ 110,000
	GO Bond 2022 Project Totals			\$ 7,435,000	\$ 700,000	\$ 700,000	\$ 675,000 \$ 9,510,000

Public Hearing Amount \$ 7,610,000 \$ 700,000 \$ 700,000 \$ 9,710,000 \$ 9,710,000

#### Items to Include on Agenda

#### City of Iowa City, Iowa

Not to Exceed \$700,000 General	Obligation Bonds	(GCP-3)	)
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Resolution fixing date for a meeting on the proposition to issue.

Notice Must Be Given Pursuant to Iowa Code Chapter 21 and the Local Rules of the City.

The	City Council of the City of Iowa City,	State of Iowa, met in	
session, in t	he Emma J. Harvat Hall, City Hall, 410	E. Washington, Iowa City, Iow	a, at 6:00
P.M., on the	e above date. There were present Mayo	or, in the ch	air, and the
following n	amed Council Members:		
C			
			_
	Absent:		_
	Vacant:		_

\* \* \* \* \* \* \*

Council Member	introduced the following Resolution
entitled "Resolution Fixing Date for a Mee	ting on the Proposition of the Issuance of Not to
Exceed \$700,000 General Obligation Bond	ls of the City of Iowa City, State of Iowa (For General
Corporate Purposes), and Providing For Pu	blication of Notice Thereof", and moved that the
same be adopted. Council Member	seconded the motion to
adopt. The roll was called and the vote wa	
-	
Ayes:	
Nays:	

1136 1

1.1 C 11 ' D 1."

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$700,000 General Obligation Bonds of the City of Iowa City, State of Iowa (For General Corporate Purposes), and Providing for Publication of Notice Thereof

Whereas, it is deemed necessary and advisable that the City of Iowa City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$700,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

Whereas, the Issuer has a population of more than 5,000 but not more than 75,000, and the Bonds for these purposes do not exceed \$700,000; and

Whereas, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds and the right to petition for an election.

Now, Therefore, Be It Resolved By the City Council of City of Iowa City, State of Iowa:

Section 1. That this Council meet in the Emma J. Harvat Hall, City Hall, 410 E. Washington, Iowa City, Iowa, at 6:00 P.M., on the 21<sup>st</sup> day of March, 2023, for the purpose of taking action on the matter of the issuance of not to exceed \$700,000 General Obligation Bonds, for general corporate purposes, the proceeds of which bonds will be used to provide funds to pay the costs of the acquisition, reconstruction, improvement and equipping of the Mercer Park Ball Diamond and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 3. The notice of the proposed action to issue bonds shall be in substantially the following form:

(To be published between: March 8, 2023 and March 10, 2023)

Notice of Meeting of the City Council of The City of Iowa City, State of Iowa, on the Matter of The Proposed Issuance of Not To Exceed \$700,000 General Obligation Bonds of the City (For General Corporate Purposes), And The Hearing On The Issuance Thereof

Public Notice is hereby given that the City Council of the City of Iowa City, State of Iowa, will hold a public hearing on the 21<sup>st</sup> day of March, 2023, at 6:00 P.M., in the Emma J. Harvat Hall, City Hall, 410 E. Washington, Iowa City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Bonds to be issued to provide funds to pay the costs of the acquisition, reconstruction, improvement and equipping of the Mercer Park Ball Diamond.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Section 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the City Council of the City of Iowa City, State of Iowa, as provided by Section 384.26 of the Code of Iowa.

Dated this	day of	, 2023.
		City Clerk, City of Iowa City, State of Iowa
	(Enc	l of Notice)

	Mayor	
Attest:		
City Clerk		

Passed and Approved this 21st day of March, 2023.

)
) SS

Certificate

County of Johnson

State of Iowa

I, the undersigned City Clerk of the City of Iowa City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

Witness my hand and the seal of the G	Council hereto affixed this	day of
, 2023.		
	City Clerk, City of Iowa Cit	y, State of Iowa

(Seal)

Certif	icate		
State of Iowa	)		
County of Johnson	) SS )		
I, the undersigned, do hereby certify that is mentioned, the duly qualified and acting Clerk of Johnson, State of Iowa, and that as such Clerk an I have caused a	f the City of Iowa City, in the Co	ounty of	
	ublic Hearing eral Obligation Bonds) (GCP-3)		
of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the Iowa City Press-Citizen, a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:			
	, 2023.		
WITNESS my official signature this	day of	, 2023.	

City Clerk, City of Iowa City, State of Iowa

(Seal)



# COUNCIL ACTION REPORT

#### March 7, 2023

Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$700,000 General Obligation Bonds of the City of Iowa City, State of Iowa (for general corporate purposes) and providing for publication of notice thereof.

Prepared By: Nicole Davies, Finance Director

Reviewed By: Geoff Fruin, City Manager

Fiscal Impact: Adopted as part of the FY2023 Revised Budget and 2023-

2027 Capital Improvement Program.

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: 2023 General Obligation Bonds Project Schedule by Hearing Type.xlsx

Iowa City (143) - GCP-4 Fix Date Proceedings 2023A GO BONDS

(02162724x7F7E1).docx

#### **Executive Summary:**

There are four resolutions for the formal City Council meeting on March 7th that are setting public hearings regarding the issuance of the 2023 General Obligation Bonds. The hearings are being scheduled for March 21st.

Attached is a project schedule by hearing for the 2023 General Obligation Bonds. There are four hearing required for the 2023 general obligation bond issue.

#### **Background / Analysis:**

The City issues bonds every spring to fund the current year's capital improvement projects listed in the Five-Year Capital Improvement Program.

The City's bond attorney, Kristin Billingsley Cooper, determines the number of bond resolutions required based upon the purpose and classification of the bonds being issued. Iowa state code classifies general obligation bonds as either General or Essential. General obligation bonds classified as General are limited to \$700,000 per project and are subject to reverse referendum within 30 days of adoption of the resolution. General obligation bonds classified as Essential do not have a \$700,000 project expense cap and are not subject to reverse referendum.

The public hearings for the 2023 General Obligation Bond issue have a total combined issuance amount of not to exceed \$9,710,000 for projects totaling \$9,510,000. The difference between the two amounts is the estimated bond issuance costs.

### 2023 General Obligation Bonds Project Schedule by Hearing Type

General

Proj. #	Project Name	Description	Type	Essential Purpose	General Purpose - Terrill Mill Skate Park	General Purpose - Mercer Park Ball Diamonds	Purpo BAS, Fl Ge	eneral ose - Roof, Fire Slab, ooring, nerator, ival Stage
P3989	American Legion Rd/First Ave Landscaping Project	Intall plantings within the American Legion Road and Scott Boulevard and the First Avenue and Scott Boulevard roundabouts as well as street trees along American Legion Road from Scott Boulevard to Taft Avenue.	Streets	\$ 400,000				
R4359	Kiwanis Park Playground & Shelter Renovation	Renovate Nature Play Area and replace shelter at Kiwanis Park. Project also adds concrete paths for increased accessibility and additional opportunities for creek access.	Parks	\$ 350,000				
R4365	Hickory Hill Park Conklin St Imp & Master Plan Update	Replace picinic shelter and restrooms at Conklin Street entrance to Hickory Hill Park. Project also replaces the parking lot and driveway. Project also will include an update to the master plan.	Parks	\$ 400,000				
R4371	Happy Hollow Playground Replacement	Replace playground at Happy Hollow Park. Project also includes new concrete paths for accessibility and improvements to the baseball field.	Parks	\$ 200,000				
R4375	Hunter's Run Park Playground & Shelter	Replace playground at Hunter's Run Park. Project also adds concrete paths for increased accessibility.	Parks	\$ 300,000				
S3956	Gilbert Street Bridge Replacement	Replace the existing Gilbert Street Bridge over Ralston Creek. Project will also include removal and replacement of slope protection, sidewalk, storm sewer, water main, roadway paving and other related work.	Streets	\$ 3,175,000				
S3984	High Street & Southgate Ave Sidewalk Infill	Construct sidewalk along High Street between 1801 High Street and Morningside Drive as well as along Southgate Avenue between 303 and 367 Southgate Avenue.	Sidewalks	\$ 110,000				
Z4406	Fire Apparatus Replacement	Replacment of 3 fire apparatuses.	Fire Equipment	\$ 1,800,000				
R4387	Willow Creek Trail Replacement	Approximately 0.8 miles of 10-foot wide from Benton St to Willow Creek Dr including a spur of the trail connecting to Aber Ave.	Trails	\$ 700,000				
R4372	Terrell Mill Skate Park Redevelopment	Renovation of skatepark and addition of concrete paths for increased accessibility. Project also will include the addition of a bicycle pump track. Enhanced site lighting will also be included.	Recreation		\$ 700,000			
R4374	Mercer Park Ball Diamond Improvements	Implement field playability and spectator enhancements, safety improvements and increased accessibility.	Recreation			\$ 700,000		
R4381	Event Facility Improvements	Renovate Riverside Festival Stage	Buildings				\$	300,000
Y4447	Animal Shelter Standby Generator	Provides a natural gas generator at the Animal Shelter which would be able to maintain the environment during a power outage.	Buildings				\$	110,000
Z4410	Fire Station #1 Carpet/Tile Flooring Replacement	Replace the carpet and tile flooring throughout Fire Station1.	Buildings				\$	85,000
Z4409	Fire Station #1 Apparatus Bay Slab Reconstruction	This project will reconstruct the floor slab in the apparatus bay of Fire Station 1.	Buildings				\$	70,000
Z4412	Fire Station #2 Roof Replacement	Design and replace the 2009 patched standing seam metal roof above common area living quarters.	Buildings				\$	110,000
	GO Bond 2022 Project Totals			\$ 7,435,000	\$ 700,000	\$ 700,000	\$	675,000 9,510,000

Public Hearing Amount \$ 7,610,000 \$ 700,000 \$ 700,000 \$ 9,710,000 \$ 9,710,000

#### Items to Include on Agenda

#### City of Iowa City, Iowa

	Not to Exceed	\$700,000	General	<b>Obligation</b>	Bonds (	(GCP-4)
--	---------------	-----------	---------	-------------------	---------	---------

Resolution fixing date for a meeting on the proposition to issue.

Notice Must Be Given Pursuant to Iowa Code Chapter 21 and the Local Rules of the City.

The	City Council of the City of Iowa City,	State of Iowa, met in	
session, in t	he Emma J. Harvat Hall, City Hall, 410	E. Washington, Iowa City, Iow	a, at 6:00
P.M., on the	e above date. There were present Mayo	or, in the ch	air, and the
following n	amed Council Members:		
C			
			_
	Absent:		_
	Vacant:		_

\* \* \* \* \* \* \*

Council Member	introduced the following Resolution
entitled "Resolution Fixing Date for a Mee	ting on the Proposition of the Issuance of Not to
Exceed \$700,000 General Obligation Bond	ls of the City of Iowa City, State of Iowa (For General
Corporate Purposes), and Providing For Pu	blication of Notice Thereof", and moved that the
same be adopted. Council Member	seconded the motion to
adopt. The roll was called and the vote wa	
-	
Ayes:	
Nays:	

1136 1

1.1 C 11 ' D 1."

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$700,000 General Obligation Bonds of the City of Iowa City, State of Iowa (For General Corporate Purposes), and Providing for Publication of Notice Thereof

Whereas, it is deemed necessary and advisable that the City of Iowa City, State of Iowa, should issue General Obligation Bonds, to the amount of not to exceed \$700,000, as authorized by Section 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

Whereas, the Issuer has a population of more than 5,000 but not more than 75,000, and the Bonds for these purposes do not exceed \$700,000; and

Whereas, before the Bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds and the right to petition for an election.

Now, Therefore, Be It Resolved By the City Council of City of Iowa City, State of Iowa:

Section 1. That this Council meet in the Emma J. Harvat Hall, City Hall, 410 E. Washington, Iowa City, Iowa, at 6:00 P.M., on the 21<sup>st</sup> day of March, 2023, for the purpose of taking action on the matter of the issuance of not to exceed \$700,000 General Obligation Bonds, for general corporate purposes, the proceeds of which bonds will be used to provide funds to pay costs of the acquisition, installation, improving and equipping of city facilities and buildings, including the animal shelter, fire stations, and Riverside Festival Stage and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

Section 3. The notice of the proposed action to issue bonds shall be in substantially the following form:

(To be published between: March 8, 2023 and March 10, 2023)

Notice of Meeting of the City Council of The City of Iowa City, State of Iowa, on the Matter of The Proposed Issuance of Not To Exceed \$700,000 General Obligation Bonds of the City (For General Corporate Purposes), And The Hearing On The Issuance Thereof

Public Notice is hereby given that the City Council of the City of Iowa City, State of Iowa, will hold a public hearing on the 21<sup>st</sup> day of March, 2023, at 6:00 P.M., in the Emma J. Harvat Hall, City Hall, 410 E. Washington, Iowa City, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Bonds to be issued to provide funds to pay costs of the acquisition, installation, improving and equipping of city facilities and buildings, including the animal shelter, fire stations, and Riverside Festival Stage.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Section 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the issuance of the Bonds or will abandon the proposal to issue said Bonds.

Thi	s notice is g	given by c	order of the	e City C	Council o	of the C	City of I	Iowa C	ity, Sta	ite of	Iowa,
as provided	d by Section	n 384.26 c	of the Code	e of Iow	a.						

Dated this	day of	, 2023.
		City Clerk, City of Iowa City, State of Iowa
	(End	of Notice)

	Mayor	
Attest:		
City Clerk		

Passed and Approved this 21st day of March, 2023.

	)	

Certificate

) SS

County of Johnson

State of Iowa

I, the undersigned City Clerk of the City of Iowa City, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

Witness my hand and the seal of the Council hereto affixed this day of				
, 2023.				
	City Clerk, City of Iowa City, State of Iowa			

(Seal)

Certifi	cate	
State of Iowa	)	
County of Johnson	) SS )	
I, the undersigned, do hereby certify that I mentioned, the duly qualified and acting Clerk of Johnson, State of Iowa, and that as such Clerk and I have caused a	the City of Iowa City, in the	e County of
Notice of Pu (Not to Exceed \$700,000 General	_	-4)
of which the clipping annexed to the publisher's a a correct and complete copy, to be published as relegal newspaper published at least once weekly, published regularly and mailed through the post of and which has had for more than two years a bonal laws of the United States, and has a general circular published in all of the issues thereof published and	equired by law in the Iowa Corinted wholly in the English ffice of current entry for more fide paid circulation recognation in the City, and that the	City Press-Citizen, a language, ore than two years nized by the postal are Notice was
	, 2023.	
WITNESS my official signature this	day of	, 2023.

City Clerk, City of Iowa City, State of Iowa

02162724-1\10714-143

(Seal)



# COUNCIL ACTION REPORT

#### March 7, 2023

Resolution setting a public hearing on March 21, 2023 on project manual and estimate of cost for the construction of the Mercer Park Aquatic Center & Scanlon Gym Exterior Accessibility and Lighting Improvements Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Prepared By: Ben Clark, Sr. Engineer

Reviewed By: Kumi Morris, Facilities Manager

Juli Seydell Johnson, Parks and Recreation Director

Jason Havel, City Engineer

Ron Knoche, Public Works Director

Geoff Fruin, City Manager

Fiscal Impact: \$305,000 available in the Annual Recreation Center

Improvements account #R4330 and the Recreation Center

Improvements account #R4351

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: Resolution

#### **Executive Summary:**

This agenda item begins the bidding process for the construction of the Mercer Park Aquatic Center & Scanlon Gym Exterior Accessibility and Lighting Improvements Project.

#### **Background / Analysis:**

The original pavement and exterior lighting at the entrance of Mercer Park Aquatic Center and Scanlon Gym was installed in 1988 and are near the end of their useful lifecycles. Additionally, there are deficiencies within parking and drop-off areas and accessible routes that need to be brought into compliance with the Americans with Disabilities Act (ADA).

This project will include signage and the replacement of a limited amount of existing driveway, parking, sidewalk and entrance pavement to bring the parking and accessible routes into compliance with the ADA. The existing metal-halide exterior lighting fixtures will also be replaced with energy efficient LED lighting.

Prepared by: Ben Clark.	Engineering Division	110 F Machineton C	't love City IA E0040	(240)2EC E 42C
Prepared by ben clark.	. Enameenna Division.	. 4 IO E. Washindion S	1 IOWA CIIV. IA 37740	

Resolution	No.
Resolution	INO.

Resolution setting a public hearing on March 21, 2023 on project manual and estimate of cost for the construction of the Mercer Park Aquatic Center & Scanlon Gym Exterior Accessibility and Lighting Improvements Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Whereas, funds for this project are available in the Recreation Center Improvements account # R4351.

Now, therefore, be it resolved by the Council of the City of Iowa City, Iowa, that:

- 1. A public hearing on the project manual and estimate of cost for the construction of the above-mentioned project is to be held on the 21<sup>st</sup> day of March, 2023, at 6:00 p.m. in the Emma J. Harvat Hall, City Hall, Iowa City, Iowa, or if said meeting is cancelled, at the next meeting of the City Council thereafter as posted by the City Clerk.
- 2. The City Clerk is hereby authorized and directed to publish notice of the public hearing for the above-named project in a newspaper published at least once weekly and having a general circulation in the City, not less than four (4) nor more than twenty (20) days before said hearing.
- 3. A copy of the project manual and estimate of cost for the construction of the above-named project is hereby ordered placed on file by the City Engineer in the office of the City Clerk for public inspection.

Passed and approved this	day of	, 2	2023
	Mayor		<u> </u>
		Approved by	
Attest:City Clerk		City Attorney's Office	
It was moved byadopted, and upon roll call there		ded by	the Resolution be
Ayes:	Nays:	Absent:	
		Alter Berg Dun Harr	gus
		Tayl Tea	

**Thomas** 

Item Number: 8.a.



# COUNCIL ACTION REPORT

March 7, 2023

Ordinance conditionally rezoning approximately 3.87 acres of property located south of the N. Dodge St and N. Scott Blvd. intersection from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Development Overlay (OPD/CC-2) for approximately 2.04 acres and to Low Density Multi Family Residential with a Planned Development Overlay (OPD/RM-12) for approximately 1.83 acres (REZ22-0016). (Second Consideration)

Staff Recommendation: Approval

Attachments: Staff Report w Attachments.pdf

Revised Preliminary OPD and SADP P&Z Correspondence - Mark Renshaw P&Z Correspondence - William Synan .pdf

P&Z 1.18.23 minutes.pdf

Ordinance & CZA

#### **STAFF REPORT**

To: Planning and Zoning Commission Item: REZ22-0016 Timber Valley Run	Prepared by: Parker Walsh, Associate Planne Date: January 18, 2023
GENERAL INFORMATION:	
Applicant:	A Latte Buzzness Mark Holtkamp 4611 Timberland Ct NE Solon, IA 52333 markholtkamp@yahoo.com
Contact Person:	Brian Boelk Axiom Consultants, LLC 60 E. Court Street, Unit 3 Iowa City, IA 52240 bboelk@axiom-con.com
Owner:	Greenstate Credit Union Tim Reck 2355 Landon Rd North Liberty, IA 52317
Requested Action:	Rezone from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Overlay Development (OPD/CC-2) and Low-Density Multi-Family Residential Zone with a Planned Overlay Development (OPD/RM-12).
Purpose:	To construct a mixed-use development consisting of a coffee shop, neighborhood commercial, and residential
Location:	South corner of N. Dodge St and N. Scott Blvd.
Location Map:	WOODE ET

Size: 3.87 Acres

Existing Land Use and Zoning: Vacant Land, Commercial Office Zone (CO-1)

Surrounding Land Use and Zoning: North: Rural Residential (RR-1), Low

Density Single-Family Residential Zone with a Planned Development

Overlay (OPD/RS-5)

South: Low Density Single-Family

Residential Zone with a Planned Development Overlay (OPD/RS-5)

East: Neighborhood Public Zone (P-1),

Research Development Park (RDP)

West: Neighborhood Public Zone (P-1)

Comprehensive Plan: Public/Private Open Space

District Plan: Northeast Planning District, but not included in

the Northeast District Future Land Use Map

Neighborhood Open Space District: C8

Public Meeting Notification: Properties within 500' of the subject property

received notification of the Planning and Zoning Commission public meeting. A rezoning sign was posted on the property on

December 20, 2022.

File Date: December 14, 2022

45 Day Limitation Period: January 27, 2023

#### BACKGROUND INFORMATION:

The applicant, Mark Holtkamp (A Latte Buzzness), has requested a rezoning from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Development Overlay (OPD/CC-2) for approximately 2.04 acres and Low-Density Multi-Family Residential Zone with a Planned Development Overlay (OPD/RM-12) for approximately 1.83 acres located south of N Dodge St. and west of N Scott Blvd. The Preliminary Planned Development Overlay and Sensitive Areas Development Plan is provided in Attachment 3. The proposed development would allow a restaurant, a mixed-use building with 8 dwelling units, and 9 townhouses. The plan also shows two drive-throughs, which would require special exceptions to be approved by the Board of Adjustment. The applicant has conveyed to staff that the priority is to develop a coffee shop on the site with an associated drive-through. The other drive-through proposed is for an ATM.

The subject property was previously rezoned in 2008 from Research Development Park (RDP) to Commercial Office Zone (CO-1) with the plans to construct an office building and a bank. The rezoning was approved with the following conditions:

a) Substantial compliance with the Concept Plan (Attachment 4) dated July 21, 2008, attached and incorporated herein, with regard to the location of the building and parking lot. Any substantial deviation from the Concept Plan regarding building and parking placement shall require approval by the Planning and Zoning Commission. All other changes shall be approved by City Staff.

- b) The vehicular access point shall be located as shown on the attached Concept Plan.
- c) Owner shall install and maintain landscaping to the S2 Standard, as described in the lowa city code of Ordinances 14-5F-6, as amended, along the length of the Dodge Street frontage.
- d) The Dodge Street building elevations shall demonstrate appropriate articulation and fenestration suitable for this important entranceway into lowa City, which shall include the use of a brick veneer with limestone base, sills, and banding to break up the façade and windows on at least 30% of the façade.

Due to a new plan accompanying the proposed rezoning, staff has not included the previous conditions as part of the rezoning. Condition "b" will be satisfied through approval of the Preliminary OPD Plan, which is part of the rezoning (Attachment 3). Per 14-8D-7E any substantive changes to the Preliminary OPD Plan, will require another rezoning and require review by the Planning and Zoning Commission and City Council. Additionally, the screening condition will be satisfied through the current City Code requirements.

The subject property also contains sensitive areas and the Preliminary Sensitive Areas Development Plan (Attachment 3) proposes removal of critical slopes in excess of what is allowed per 14-5I-8E-4. Therefore, a Level II Sensitive Areas Review is required, which requires review by the Planning and Zoning Commission and approval by the City Council as part of the OPD rezoning process.

The applicant held a Good Neighbor meeting on October 6, 2022. A summary of the meeting is included in Attachment 5.

#### **ANALYSIS:**

#### **Current Zoning:**

The property is currently zoned Commercial Office Zone (CO-1). The purpose of CO-1 is to provide specific areas where office functions, compatible businesses, apartments and certain public and semipublic uses may be developed in accordance with the comprehensive plan. The CO-1 zone can serve as a buffer between residential and more intensive commercial or industrial areas. Additionally, only drive-throughs accessory to financial institutions are allowed within the CO-1 zone.

#### **Proposed Zoning:**

The proposed zoning, Community Commercial Zone (CC-2), is intended for major business districts to serve a significant segment of the total community population. In addition to a variety of retail goods and services, these centers may typically feature several large traffic generators requiring access from major thoroughfares. While these centers are usually characterized by indoor operations, uses may have limited outdoor activities; provided, that outdoor operations are screened or buffered to remain compatible with surrounding uses. Unlike the current CO-1 zoning, the CC-2 zone allows drive-throughs associated with any use subject to the special exception process.

The Low Density Multi-Family Residential Zone (RM-12) is to provide for the development of high density, single-family housing and low density, multi-family housing. This zone is intended to provide a diverse variety of housing options in neighborhoods throughout the city. Careful attention to site and building design is important to ensure that the various housing types in any one location are compatible with one another.

The planned development overlay zone (OPD) is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modification to requirements of the underlying zone will not be contrary to the intent and purpose of this title, inconsistent with the comprehensive plan, as amended, or

harmful to the surrounding neighborhood. A Preliminary OPD Plan is also required with the OPD rezoning, which shows a layout of proposed uses, parking, and landscaping. Future development must substantially comply with this plan. Any significant changes to land uses, street locations, or character of the development will require another OPD rezoning.

**General Planned Development Approval Criteria:** Applications for Planned Development rezonings are reviewed for compliance with the following standards according to Article 14-3A of the lowa City Zoning Code.

1. The density and design of the Planned Development will be compatible with and/or complementary to adjacent development in terms of land use, building mass and scale, relative amount of open space, traffic circulation and general layout.

<u>Density</u> – The applicant is requesting a rezoning to OPD/CC-2 and OPD/RM-12, with each zone allowing a density of 15 dwelling units per acre of net land (total land minus street rights-of-way). The proposed development includes a total of 17 dwelling units, 8 being part of a mixed use development on the portion of the property zoned OPD/CC-2, and 9 being attached single family units on the portion of the property zoned. OPD/RM-12. The proposed density for the 17 units on approximately 3.87 acres is 4.39 dwelling units per acre, which complies with the density standards of 14-3A-4D of the City Code.

<u>Land Uses Proposed</u> – The applicant is proposing a mix of commercial, mixed use, attached single family residential units, and an outlot on the subject property. The commercial use at the corner of N Dodge St. and N Scott Blvd. is proposed to be a coffee shop. South of the coffee shop is a proposed 8 unit mixed use building with ground floor commercial uses along N Scott Blvd., which transitions into 9 attached single family units abutting existing residential zoned OPD/RS-5. There is also Outlot A, which is to be used for stormwater retention.

Additional surrounding land uses include multi-family townhouse style development to the north, City of Iowa City Fire Station 4 to the east, the Iowa City Community School District Administration to the west, and as previously mentioned, existing single-family residential to the south of the subject property. In summary, the proposed development is anticipated to provide commercial development located along two arterial streets and a main Iowa City entranceway, as well as provide a mix of housing types compatible with the surrounding uses.

Mass, Scale, and General Layout – The commercial uses proposed are located nearest to the N Dodge Street and N Scott Blvd intersection, with the proposed coffee shop being located on the corner of these streets. The mixed use building will be larger in scale with ground floor retail and upper story residential, not to exceed 35' or approximately 3 stories as required by the City Code. However, all proposed development will be setback a minimum of 40' along arterial streets and the parking areas will be screened to at least the S2 screening requirement. Parking for the commercial uses will be located in the rear behind the principal buildings and be subject to additional landscaping requirements aimed to promote a more attractive streetscape. The proposed development transitions to attached single-family uses at the southern end of the site. The attached single-family will have a separate access point and parking will be located in the rear via a shared private alley. Standards relating to mass, scale, and layout will be reviewed at the site plan and building permitting stages to ensure full compliance with these requirements.

Open Space – The proposed development will need to comply with the private open space standards outlined in section 14-2A-4E of the City Code. The proposed mixed use development will be required to accommodate 10 square feet of private open space per bedroom, with a minimum of 400 square feet and no dimension less than 20 feet. The attached single family units will need to provide a minimum 150 square feet of private open space with no dimension less than 10 feet. According to 14-2A-4E-3b, for attached single family uses, rooftop or upper

floor open air terraces or rear yard-facing porches, including screened-in porches (non-habitable space only) may count toward the open space requirement.

<u>Traffic Circulation</u> – The proposed development would include two curb cuts to provide access from N Scott Blvd. Staff is recommending a condition that no vehicular access shall be allowed off of N. Dodge Street due to the potential safety hazards of adding access at the intersection of Dodge St/Highway 1 and Scott St. Additionally, the traffic study recommended that the site access points be constructed and located as shown in the preliminary OPD plan, which the traffic study considered to be "optimally located, spaced, and sized". The study also noted that if development was constructed as proposed, "the existing signal on Dodge Street and Scott Blvd could continue to operate acceptably". Access to the commercial lots and the attached single family units will be separated with their own access points off of N Scott Blvd. The attached single family lots will have private rear alley access and the commercial lots will be accessed through parking located behind the principal buildings.

#### 2. The development will not overburden existing streets or utilties.

The subject property is an infill parcel that is surrounding by existing development. It can be serviced by both sanitary sewer and water. Public Works staff has indicated that both sanitary sewer and water mains have sufficient capacity to accommodate the proposed development.

Transportation Planning staff requested that the applicant submit a traffic impact study, which examined how proposed development would impact traffic along N Dodge Street and N Scott Blvd. The traffic study found that approximately 154 AM Peak Hour trips and 81 PM Peak Hour trips would be generated due to development. The study notes "not all of these trips will likely be newly generated trips. For a coffee shop, the majority of patrons to the site will be pass-by trips. Pass-by trips are satisfied by vehicles already in the traffic stream on the adjacent roadway prior to development but elect to stop in for coffee on the way to their original destination". The study states that approximately 80% of the trips generated will be pass-by trips for the coffee shop and 20% of the trips will be new. The non-pass-by trips generated by the site are 52 AM trips and 51 PM trips. The proposed development would provide an acceptable level of service of B and C during peak hours.

The traffic study recommended installation of a southeast-bound right-turn lane. Staff agreed and the preliminary OPD plan shows the addition of a right turn lane on N Scott Blvd. as part of access to the commercial lots. Staff is also recommending the addition of a right turn lane as a condition of the rezoning.

Additionally, the traffic study recommends the installation of a pedestrian facility with a refuge island across Scott Blvd at Dubuque Rd, which allows pedestrians to cross fewer lanes of traffic, provides a more direct route to the sidewalk along Dubuque Road, and provides a larger refuge area for pedestrians in the middle of Scott Blvd. Staff agrees with the need for this and recommends that is be placed on the southern end of N. Dubuque Rd. This facility is shown on the preliminary OPD plan and staff is also recommending this improvement be added as a condition of the rezoning. Staff also recommends the condition of the dedication of a public access easement over any pedestrian facilities along the Scott Blvd public right-of-way that provide connectivity to public sidewalks and adjacent neighborhoods that are located on private property. Staff typically tries to secure additional right-of-way in order to provide for sidewalks; however, staff finds the public access easement accessible since securing public right-of-way could further impact the sensitive areas on the site.

The traffic study determined that the construction of the proposed development, including the recommended right turn lane and pedestrian crossing on N Scott Blvd., would not increase traffic to the point of overburdening the existing street system. Staff has reviewed the traffic study and concurs with the analysis.

The construction of the proposed right turn lane along N Scott Blvd. and the proposed location for the attached single family access will remove existing trees within the right-of-way. These trees were recently planted by the City in order to create an inviting streetscape and also shade for those utilizing the wide pedestrian sidewalk and bike path. Per the City Forester, staff recommends that as a condition of the rezoning any trees removed from the right of way shall be replaced as part of a landscaping plan to be approved by the City Forester.

3. The development will not adversely affect views, light and air, property values and privacy of neighboring properties any more than would conventional development.

The nearest neighbors to the north and to the east of the subject property will be separated by N Dodge St. and N Scott Blvd. In addition to this separation, the proposed commercial uses and mixed use development will be required to meet the 40' setback along. To the west, the subject properties will remain separated through remaining woodlands and Outlot A. The attached single family units will provide a transition from the existing single family residential to the south and the mixed use and commercial uses on the subject property. For these reasons staff finds that this development will not impact neighboring residents and property owners more than a conventional development.

4. The combination of land uses and building types and any variation from the underlying zoning requirements or from City street standards will be in the public interest, in harmony with the purpose of this Title, and with other building regulations of the City.

The subject development does not propose any waivers from the underlying zoning code. However, the applicant does propose two drive through uses, one for the coffee shop and one for an ATM, and also proposes multi-family uses in a CC-2 zone, all of which will require their own special exception for approval and will be required to meet all of the special exception approval criteria. If any or all special exceptions were denied, the site would still be able to accommodate land uses allowed by right or provisionally in a CC-2 zone as long as the changes did not result in substantive changes to the preliminary OPD plan. The Preliminary OPD incorporates attached single family, mixed use multi family, and commercial uses. The combination of land uses provides a diversity of housing options and would provide additional commercial and retail services to serve the surrounding residents and travelers along one of the main entryways of the City.

#### **Rezoning Review Criteria:**

Staff uses the following two criteria in the review of rezonings:

- 1. Consistency with the comprehensive plan;
- 2. Compatibility with the existing neighborhood character.

Consistency with the Comprehensive Plan: The IC2030 Comprehensive Plan identifies the subject property as suitable for public/private open space. Although the IC2030 Future Land Use Map (FLUM) identifies this area as public/private open space, the FLUM notes, "the land use map is intended to be a general guide for persons making decisions regarding the development of land in within lowa City". The Plan goes on to state "in addition to the District Plans, the neighborhood design principals should be considered when interpreting the land use map. For example, if property is located at the intersection of a collector and an arterial, the neighborhood design concepts indicate that alternatives to single family development, i.e. neighborhood commercial or multi-family development, may be appropriate". The neighborhood design principles are intended to create and sustain healthy neighborhoods and may be used to determine if an alternative property use not identified on the FLUM may be appropriate. Staff

found the following neighborhood design principles to be supported by the proposed rezoning as an alternative option from public/private open space:

Compatible Infill Development –Quality infill development plays an important role in neighborhood reinvestment. Additionally, development of infill sites should add to the diversity of housing options without compromising neighborhood character or overburdening infrastructure. The subject property is currently a vacant lot with sensitive area constraints such as slopes and is surrounding by existing development. The Comprehensive Plan further encourages the identification of properties appropriate for infill development, in particular on small lots to discourage sprawl. Additionally, when considering infill development, one of the Comprehensive Plan goals is to "ensure development is compatible and complementary to the surrounding neighborhood". The proposed development would provide more diverse housing options to the area such as attached single family dwellings and mixed use multi-family. Development also proposes a coffee shop and ground floor retail services as part of the mixed use building. The commercial uses would complement the area by providing services to surrounding residents, employees, and travelers along a major City entryway, while also providing a transitional buffer of uses through the inclusion of attached single family dwellings. As previously mentioned in the report, a traffic study was done that ensured the proposed development would not overburden existing infrastructure, provided the recommended right run lane be provided to facilitate safe traffic flow to the property.

<u>Diversity of Housing Types</u> – A mix of housing types within a neighborhood provides residential opportunities for a variety of people, including singles, couples, families with children, and elderly persons. A mix of housing within a neighborhood may include single-family homes, townhouses, duplexes, small apartment buildings, as well as apartments in mixed use buildings located in neighborhood commercial areas. The IC2030 Comprehensive Plan further encourages the diversity of housing options through its goals, specifically, "ensure a mix of housing types within each neighborhood to provide options for households of all types and people of all incomes" The proposed mixed use multi-family development and attached single family, or townhomes, provide a mix of housing options to the area to complement the existing single family homes and townhomes. The proposed development would also provide a transition of housing options from the existing single family along Hickory Heights Ln off of N Scott Blvd, moving north to the proposed attached single family units, and the mixed use multi-family development located on the proposed commercial lots. The commercial area aspect of the development would be able to support residents new and old.

Affordable Housing – Although there is no code requirement for income-restricted affordable housing that applies to the proposed development, by allowing a mix of housing types, moderately priced housing can be incorporated into a neighborhood, rather than segregated in one or two areas of the community. Small multi-family buildings can be incorporated on corner lots adjacent to arterial streets, and townhomes can be mixed with single-family homes within a neighborhood. Apartments located above commercial businesses provide needed housing while increasing the local customer base for commercial establishments. Specific goals to achieve this vision include providing housing options for people of all incomes and developing smaller lots to conserve land and allow for more affordable options. The proposed development would provide attached single family and mixed use multi-family dwellings with ground floor retail services that would increase the variety of housing options and price points in the neighborhood.

Neighborhood Commercial Areas – Neighborhood commercial areas can provide a focal point and gathering place for a neighborhood. The businesses within a neighborhood commercial center should provide shopping opportunities within convenient walking distance for residents in the immediate area. The design of neighborhood commercial centers should have pedestrian orientation with stores placed close to the street and parking located in the rear. It is also

encouraged to incorporate apartments above shops. The proposed development includes a coffee shop and a mixed use multi-family building with 8 units intended to have ground floor retail services and 9 attached single family units. The development incorporates pedestrian connections to the property at the intersection of N Dodge St and Scott Blvd., as well as proposes a pedestrian crossing along Scott Blvd. to connect to the site. Additionally, the sidewalk along the rear alley of the attached single family units will extend to the commercial lots, providing a connection for the residents. Development would provide a commercial area that would be incorporated into the existing neighborhood and support residents and travelers in the area, Fire Station 4, the lowa City Community School District, and the ACT Campus.

Pedestrian/Bicyclist Connections – Important neighborhood destinations, such as shopping centers should be readily accessible for pedestrians and bicyclists. It is also important to have a pleasant streetscape and appropriate building setbacks that creates an environment that is safe and appealing. The Comprehensive Plan also encourages "pedestrian-oriented development and attractive and functional streetscapes that make it safe, convenient, and comfortable to walk". The proposed development shows the addition of pedestrian connections at the corner of N Dodge St and N Scott Blvd., connecting to the existing sidewalk system and providing pedestrians access to the coffee shop. Additionally, a sidewalk is located along the attached single family alley that connects residents to the commercial lots, as well as a connection to N Scott Blvd. Due to the proposed construction of the right turn lane to access the commercial lots, the sidewalk connection will be removed and reconstructed further west, still providing a continuous path along N Scott Blvd. The applicant also proposes landscaping such as shrubs and trees along N Dodge St and Scott Blvd. The buildings will also be setback 40' along the arterial streets, ensuring that development will not dominate the streetscape.

There are several other comprehensive plan goals and strategies that are supported by this proposed rezoning:

- 1. Land Use Goals & Strategies:
  - a. Encourage compact, efficient development that is contiguous and connected to existing neighborhoods to reduce the cost of extending infrastructure and services and to preserve farmland and open space at the edge of the city.
  - b. Ensure that infill development is compatible and complementary to the surrounding neighborhood.
  - c. Plan for commercial development in defined commercial nodes, including small-scale neighborhood commercial centers.
  - d. Provide appropriate transitions between high and low-density development and between commercial areas and residential zones.
- 2. Housing Goals & Strategies:
  - a. Encourage a diversity of housing options in all neighborhoods.
  - b. Ensure a mix of housing types within each neighborhood, to provide options for households of all types (singles, families, retires, etc.) and people of all incomes.
  - c. Identify and support infill development and redevelopment opportunities in areas where services and infrastructure are already in place.
- 3. Transportation Goals & Strategies:
  - a. Accommodate all modes of transportation on the street system.
  - b. Encourage walking & bicycling.
  - c. Encourage pedestrian-oriented development and attractive and functional streetscapes that make it safe, convenient and comfortable to walk.
- 4. Environmental Goals & Strategies:
  - a. Encourage compact, efficient development that reduces the cost of extending and maintaining infrastructure and services.
  - b. Discourage sprawl by promoting small-lot and infill development.

**Environmentally Sensitive Areas:** The subject property contains steep slopes and critical slopes. The applicant has submitted a Preliminary and Sensitive Areas Development Plan as part of the OPD rezoning. Due to the proposed disturbance of more than 35% of critical slopes, a Level II Sensitive Areas Review is required.

<u>Regulated Slopes:</u> The subject property contains steep and critical slopes. The impacts to these slopes are outlined in Table 1. Approximately 75% of the critical slopes are proposed to be impacted, which exceeds the 35% threshold of critical slopes allowed.

Table 1 – Summary of Regulated Slopes

Slopes	Disturbed		Prese	erved	Total	
	Square Feet	Percent	Square Feet	Percent	Square Feet	Percent
Steep	47,983	68%	22,629	32%	70,612	100%
Critical	16,430	75%	5,622	25%	22,052	100%

**Neighborhood Open Space:** According to section 14-5K of the City code, dedication of public open space or fee in lieu of land dedication is addressed at the time of final platting for residential subdivisions, commercial subdivisions containing residential uses, and planned developments. Based on approximately 3.87 acres, the applicant is required to dedicate 0.25 acres of open space or pay a fee in lieu. The applicant has requested that they plan to pay a fee in-lieu of land dedication.

**Storm Water Management:** The applicant intends to provide stormwater detention for the development within Outlot A. Public Works must approve a stormwater management plan as part of the platting process.

**Sanitary Sewer:** There are existing sanitary sewer easements and infrastructure on this site. The current plan shows the buildings are located too close to these existing easements. Public Works is working with the applicant to resolve the proximity to the sanitary sewer easement issue of the proposed attached single family on lots 3-7. This issue was noted on the plans and will need to be worked out prior to the approval of a site plan or issuance of a building permit.

#### **NEXT STEPS:**

Upon recommendation from the Planning and Zoning Commission, a public hearing will be scheduled for consideration by the City Council.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of REZ22-0016, a proposal to rezone approximately 2.04 acres located south of the N Dodge St and N Scott Blvd. intersection from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Overlay Development (OPD/CC-2) and approximately 1.83 acres from CO-1 to Low-Density Multi-Family Residential Zone with a Planned Overlay Development (OPD/RM-12) subject to the following conditions:

- 1. Prior to the issuance of building permit, Owner shall:
  - a. Obtain approval of a landscape plan by the City Forester which includes the N. Dodge St and Scott Blvd public right-of-way. Any trees within the public right-of-way that are removed due to construction shall be replanted and located according to the approved landscape plan.
  - b. Dedicate a public access easement over any pedestrian facilities adjacent to the Scott Blvd public right-of-way that provide connectivity to public sidewalks.
- 2. Prior to issuance of a certificate of occupancy, Owner shall:
  - a. Install a right turn lane along Scott Blvd, subject to approval by the City Engineer.
  - b. Install a pedestrian crossing with a refuge island on the southside of Dubugue Rd

and Scott Blvd, subject to approval by the City Engineer.

3. No vehicular access shall be allowed onto N. Dodge Street.

#### ATTACHMENTS:

- 1. Location Map
- 2. Rezoning Exhibit
- 3. Preliminary OPD/SADP
- 4. 2008 Concept Plan Approved with CO-1 Rezoning
- 5. Good Neighbor Meeting Summary
- 6. Traffic Impact Study
- 7. Applicant's Statement

Approved by: \_

Danielle Sitzman, AICP, Development Services Coordinator Department of Neighborhood and Development Services



0.03 0.05

0.1 Miles

#### **Attachment 1**

#### REZ22-0016 N. Dodge and Scott Blvd.



Prepared By: Emani Brinkman Date Prepared: November 2022

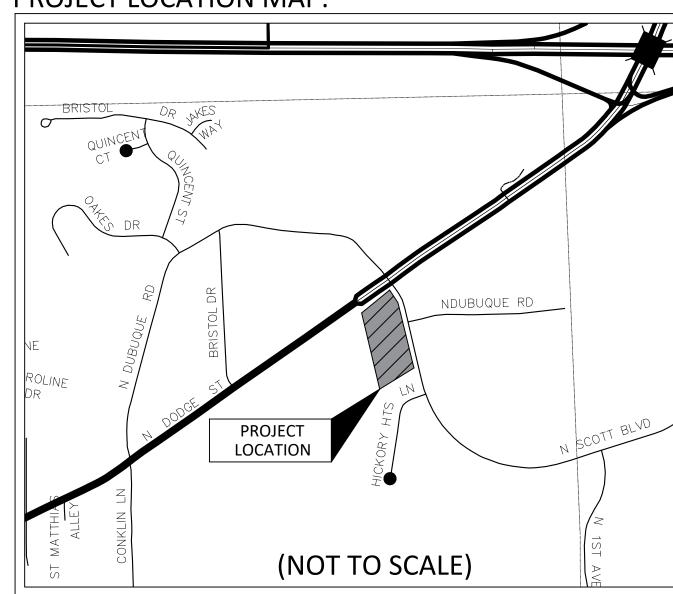


## **Attachment 2**



# REZONING EXHIBIT TIMBER VALLEY RUN IOWA CITY, IOWA

#### PROJECT LOCATION MAP:



#### **APPLICANT INFORMATION:**

#### **APPLICANT:**

A LATTE BUZZNESS
C/O MARK HOLTKAMP
4611 TIMBERLAND CT NE
SOLON, IA 52333
319-594-1062
MARKHOLTKAMP@YAHOO.COM

## 0.6014

OWNER:
GREENSTATE CREDIT UNION
C/O TIM RECK
2355 LANDON RD
NORTH LIBERTY, IA 52317
319-899-3431
TIMRECK@GREENSTATE.ORG

## PREPARED BY: AXIOM CONSUL

AXIOM CONSULTANTS, LLC C/O BRIAN BOELK 60 E. COURT STREET, UNIT 3 IOWA CITY, IOWA 52240 319-519-6220 BBOELK@AXIOM-CON.COM

#### **LEGAL DESCRIPTION:**

#### **OPD/CC-2 LEGAL DESCRIPTION:**

BEGINNING AT THE NORTHEAST CORNER OF THE PRESS-CITIZEN ADDITION LOT 2 PARCEL, THENCE ALONG THE EAST LINE OF SAID PARCEL 76.26 FEET ALONG A 573.00 RADIUS CONCAVE NORTHEASTERLY (CHORD BEARING S43°40'46"E, 76.20 FEET); THENCE S33°41'27"E, 2.27 FEET; THENCE 154.96 FEET ALONG A 690.00 RADIUS CONCAVE WESTERLY (CHORD BEARING S21°33'48"E, 110.91 FEET); THENCE S13°06'19"E, 177.06 FEET; THENCE S76°49'58"W, 250.00 FEET; THENCE N13°06'20"W, 321.35 FEET; THENCE N55°03'40"E, 208.04 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS 2.04 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

#### OPD/RM-12 LEGAL DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF THE PRESS-CITIZEN ADDITION LOT 2 PARCEL, THENCE ALONG THE EAST LINE OF SAID PARCEL 76.26 FEET ALONG A 573.00 RADIUS CONCAVE NORTHEASTERLY (CHORD BEARING S43°40'46"E, 76.20 FEET); THENCE S33°41'27"E, 2.27 FEET; THENCE 154.96 FEET ALONG A 690.00 RADIUS CONCAVE WESTERLY (CHORD BEARING S21°33'48"E, 110.91 FEET); THENCE S13°06'19"E, 446.86 FEET; THENCE S55°10'06"W, 269.12 FEET; THENCE N13°06'20"W, 369.15 FEET; THENCE N76°49'58"E, 250.00 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS 1.83 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

#### **ZONING INFORMATION:**

CURRENT ZONING: COMMERCIAL OFFICE ZONE (CO-1) - 3.87 AC

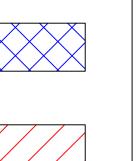
PROPOSED ZONING: OPD/CC-2 - 2.04 AC

(PLANNED DEVELOPMENT OVERLAY/ COMMUNITY COMMERCIAL ZONE)

OPD/RM-12 - 1.83 AC

(PLANNED DEVELOPMENT OVERLAY/

LOW DENSITY MULTI-FAMILY RESIDENTIAL ZONE)



FOR CONSTRUCTION

SHEET NAME:

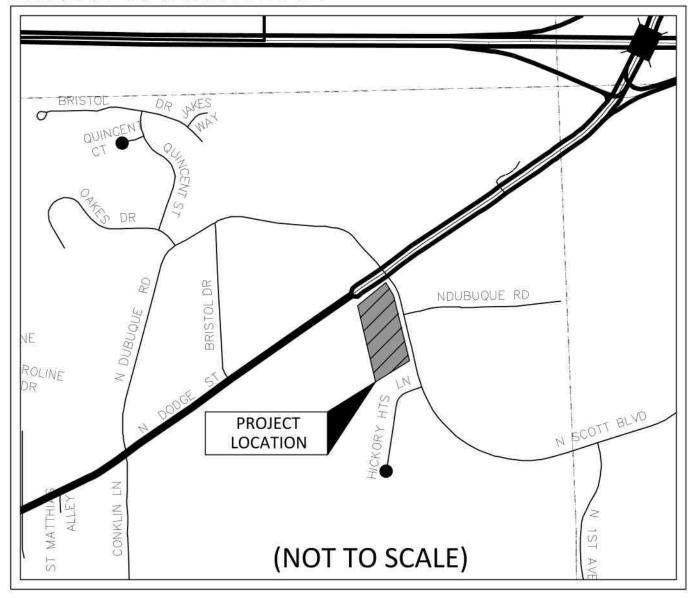
REZONING EXHIBIT

1 OF 1

# PRELIMINARY PLANNED DEVELOPMENT OVERLAY PLAN

TIMBER VALLEY RUN IOWA CITY, IOWA

PROJECT LOCATION MAP:



#### SITE INFORMATION

LOT SIZE

168,425 SF (3.87 ACRES)

PAVEMENT: 48,952 SF (1.12 ACRES) 15,317 SF (0.35 ACRES) **BUILDING:** 

15 DWELLING UNITS / ACRE

MAXIMUM DENSITY =

NET LAND AREA = **3.87 ACRES** 

TOTAL DWELLING UNITS =

4.39 DWELLING UNITS / ACRE PROPOSED DENSITY =

**EXISTING ZONING** 

COMMERCIAL OFFICE ZONE (CO-1)

PROPOSED ZONING

LOTS 1-2: OPD/CC-2

LOTS 3-12: OPD/RM-12

SETBACK REQUIREMENTS

RM-12 FRONT: 0/10' REAR:

#### PARKING PARKING PARKING LOT SIZE LOT SIZE REQUIRED PROVIDED (AC) FAR (SF) **LAND USE RATIO** 41,392 0.95 0.05 **RESTAURANT** 1 / 150 GFA 11 8 (1) BEDROOM UNITS & 1/UNIT & 1 48,340 1.11 0.07 **RESTAURANT** / 150 GFA 31 7,180 0.16 0.15 RESIDENTIAL 2 / UNIT 2 3,855 0.09 0.29 RESIDENTIAL 2 / UNIT 0.09 0.29 3,855 RESIDENTIAL 2/UNIT 2 3,863 0.09 0.29 **RESIDENTIAL** 2 / UNIT 0.15 0.17 6,486 RESIDENTIAL 2 / UNIT 7,556 0.17 | 0.15 RESIDENTIAL 2/UNIT 3,854 0.09 0.29 2 / UNIT RESIDENTIAL 0.09 0.29 3,854 RESIDENTIAL 2 / UNIT 9,095 0.21 0.12 RESIDENTIAL 2/UNIT 0.69 30,273 OUTLOT 0

TOTAL:

59

#### **NOTES:**

- PER 14-3A-4C-1a, THE ATTACHED SINGLE FAMILY UNITS WILL BE SUBJECT TO THE STANDARDS OUTLINED IN 14-4B-4A-3 ATTACHED SINGLE-FAMILY DWELLINGS IN RM-12 ZONES. THESE STANDARDS WILL BE REVIEWED AT THE TIME OF BUILDING PERMIT.
- A CROSS ACCESS EASEMENT SHALL BE OBTAINED BETWEEN LOTS 1 AND 2 TO PROVIDE SHARED ACCESS.
- ATTACHED SINGLE-FAMILY SHALL DEMONSTRATE COMPLIANCE WITH THE CITY'S PRIVATE OPEN SPACE STANDARDS (14-2S-4E) PRIOR TO ISSUANCE OF A BUILDING PERMIT.
- OUTLOT FOR GREEN SPACE AND STORMWATER MANAGEMENT AS DEEMED NECESSARY.

TOTAL: 168,425

#### APPLICANT INFORMATION:

APPLICANT: A LATTE BUZZNESS C/O MARK HOLTKAMP 4611 TIMBERLAND CT NE SOLON, IA 52333 319-594-1062 MARKHOLTKAMP@YAHOO.COM

**OWNER:** 

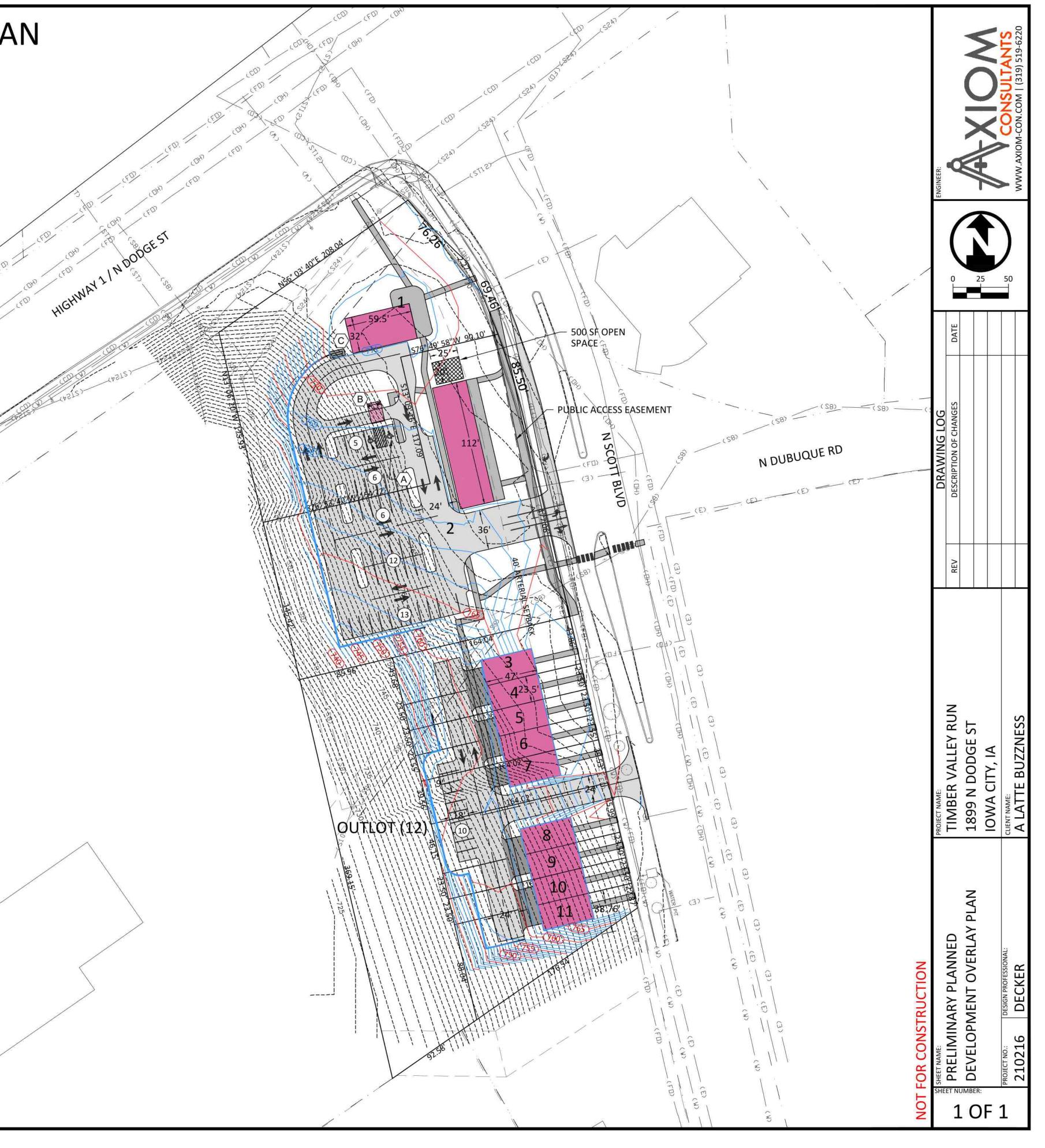
**GREENSTATE CREDIT UNION** C/O TIM RECK 2355 LANDON RD NORTH LIBERTY, IA 52317 319-899-3431 TIMRECK@GREENSTATE.ORG

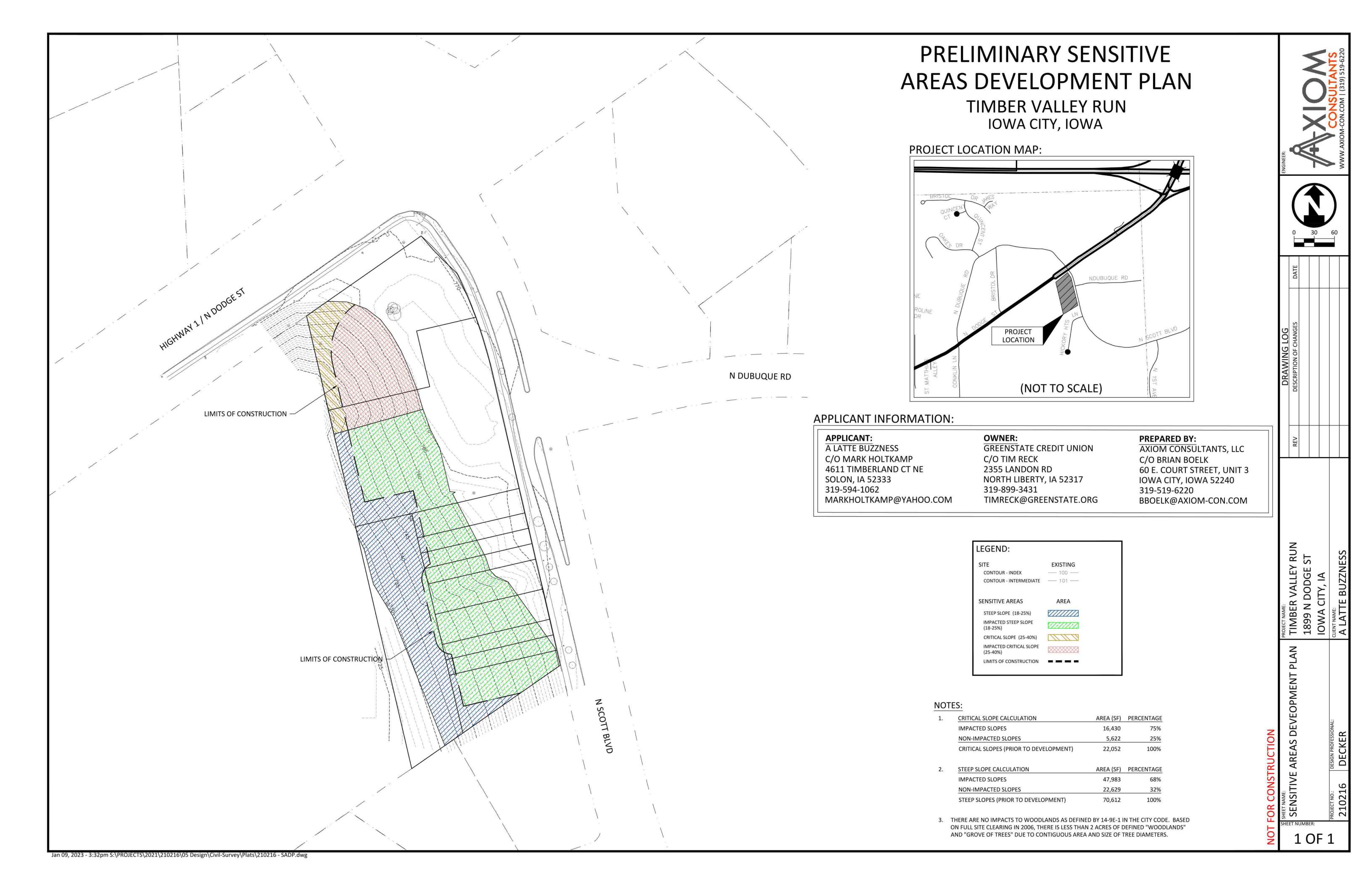
PREPARED BY:

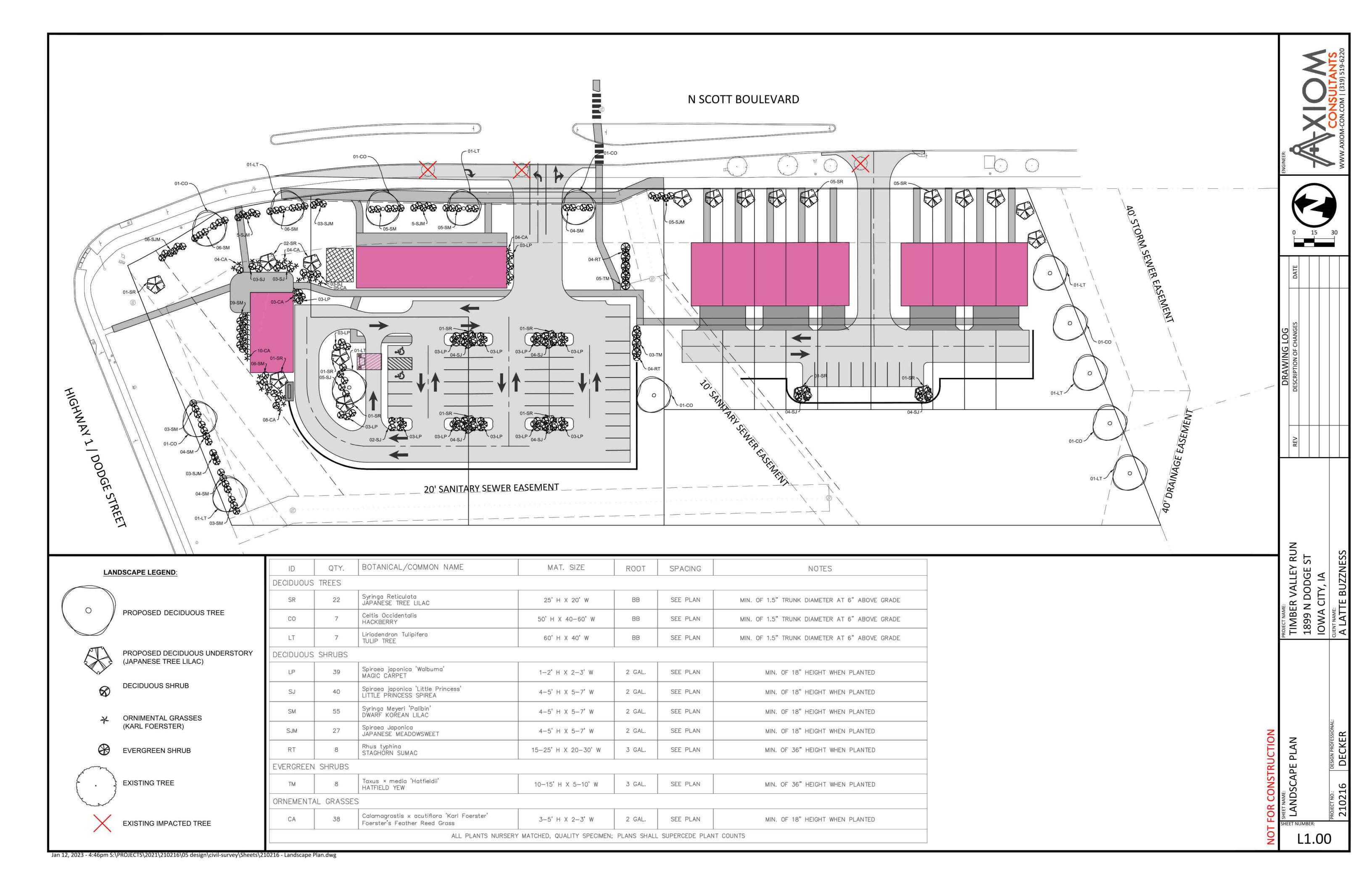
**AXIOM CONSULTANTS, LLC** C/O BRIAN BOELK 60 E. COURT STREET, UNIT 3 **IOWA CITY, IOWA 52240** 319-519-6220 BBOELK@AXIOM-CON.COM

#### **KEYNOTES:**

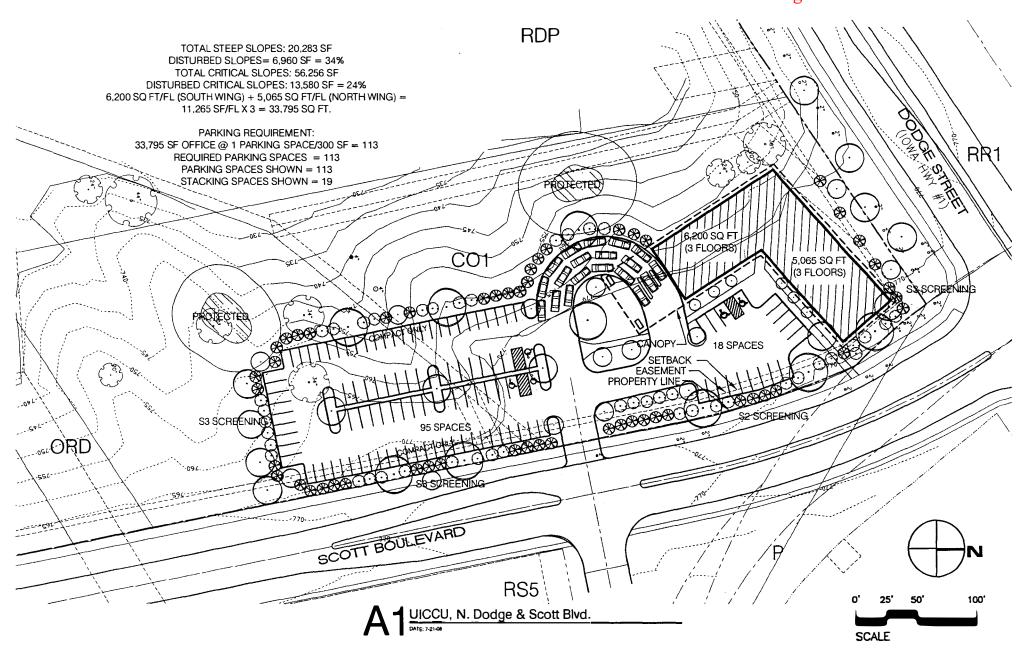
- A PROPOSED ADA PARKING STALL
- (B) GSCU KIOSK
- © SCOOTER'S ORDER BOARD







## Attachment 4: 2008 Concept approved with CO-1 rezoning



### **Attachment 5**

# Summary Report for Good Neighbor Meeting



Project Name: Timber Valley Run	Project Location: SW Corner N Dodge Street and N Scott Blvd
Meeting Date and Time: October 6, 2022 @ 6	
Meeting Location: Shimek Elementary Schoo	
Names of Applicant Representatives attending	
	Brian Boelk, Rob Decker, Allison Wagner - Axiom Consultants
Names of City Staff Representatives attending	: Anne Russet
Number of Neighbors Attending: 3	Sign-In Attached? Yes X No
General Comments received regarding	project (attach additional sheets if necessary)-
Questions regarding types of buildings	s proposed - SF of commercial, price point
of residential units, number of stories	(height)
Asked what intended timeline is for co	nstruction
Questions about process and next ste	ps for rezoning
Concerns expressed regarding project ( Impacts to sensitive areas	attach additional sheets if necessary) -
Impacts to traffic and intersection of N	Dodge and N Scott
Will there be any changes made to the	proposal based on this input? If so, describe:
No real concerns or objections that ne	ecessitated changes to the plans or rezoning.
Staff Representative Comments	

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MEETING MINUTES October 6<sup>th</sup>, 2022

JOB NAME: Scooter's JOB NUM: 21-0219

TIME: 6:00 p.m. LOCATION: Shimek Elementary School

**CLIENT PM:** Mark Holtcamp **AXIOM PM:** Rob Decker

Brian Boelk, Rob Decker, Mark Holtcamp, Allison Wagner, Anne Russett, Sharon Thirtyacre (Moss

ATTENDEES: Farms), Laura Hyer (Hickory Heights), Mark Renshaw (Hickory Heights).

MEETING STAGE: Rezoning Documents and Conceptual Plan

**MEETING NARRATIVE:** 

Laura Hyer 41 Hickory Heights Lane

- O How many SF of commercial?
  - Lower 3,000 SF BB & MH
- Concern about impacting protected slopes and sensitive areas, when they are unable to do similar activities in their backyard.
  - Explained requirements and restrictions with impacting slopes. BB
- What is the price point on residential? (about 'brownstones')
  - Nicer finish, higher end. \$350,000+ not sure if rental or owner occupied. MH
- Will they be one story?
  - Two story from street level
- What will the height of commercial building be? Concerns about cohesiveness with surrounding buildings and uses. Does not think commercial blends at all.
  - No plans yet, at least two. BB & MH
- o Timeline for construction?
  - Scooters in spring 2023 as phase 1. MH
- O What are the next steps in process?
  - Rezoning application, will take around 4 months, residents will receive another notice. – AR
- Sharon Thirtyacre 1424 Bristol Dr.
  - Concerns with traffic impact at intersection
    - Explained traffic study and various factors that went into evaluation. New turn lane
      would be constructed to handle extra volume. Numbers used in study were
      conservative so no issues are anticipated. BB
- Mark Renshaw 72 Hickory Heights Lane
  - Asked about different buildings and their intended uses. Concerns about traffic impact. Inquired about rezoning process and schedule for construction.
    - Explained rezoning process and what anticipated phase 1 of project would be. –
       AR & RD



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#### Scooter's Coffee

N Dodge Street/Hwy 1 and N Scott Blvd, Iowa City AXC 210216

#### GOOD NEIGHBOR MEETING ATTENDANCE SIGN-IN

DATE: Thursday, October 6, 2022 @ 6-7:30 pm

NAME	ADDRESS	EMAIL
Sharon Thirtyacre	1424 Bristol Drive, Iowa City	
Laura Hyer	41 Hickory Heights Lane, Iowa City	
Mark Renshaw	72 Hickory Heights Lane, Iowa City	



4001 River Ridge Drive NE Cedar Rapids, IA 52402 Office: (319) 377-4629

(319) 377-8498

## Scooter's Coffee Iowa City

Corner of Scott Blvd and Dodge Street Iowa City, Iowa

Traffic Impact Study

### September 9<sup>th</sup>, 2022

Prepared for: Brian Boelk, P.E., Owner, Axiom Consultants **Prepared By:** Anderson-Bogert Engineers and Surveyors, Inc. Jacob M. Sprengeler, P.E., ENV SP

ABES Project Number: 222041 **QA/QC:** Jeffrey C. Morrow, P.E. I hereby certify that this Engineering document was prepared by me or under my direct personal supervision and that I am a duly Licensed Engineer under the laws of the State of Iowa.

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Iowa Registration No. P27485

Exp. Date: 12/31/2023

#### **EXECUTIVE SUMMARY**

This study was completed in order to determine the traffic impacts resulting from a proposed mixed-use commercial, coffee shop, and residential development on the southwest quadrant of the intersection on Dodge Street at Scott Boulevard. The proposed development was assumed to be completed by 2023. For analysis purposes, the entire site will be occupied and operational upon opening day in 2023. The existing land is undeveloped vacant space. As such, rezoning will be required.

The proposed development contains the following features and ITE Land Uses:

- 220: Multifamily Housing (Low Rise) 10 Townhouse Dwellings
- 231: Mid-Rise Residential with 1st-Floor Commercial 8 Dwelling Units
- Various Commercial Uncategorized 2,900sf 1st-Floor commercial
- 937: Coffee/Donut Shop with Drive-Through Window 30 Seats, 1,900sf

The study area does not exhibit a statistically significant crash rate since 2017. Most crashes observed were property damage only. The majority of crashes involved vehicles traveling in the same direction (rear-end and sideswipe), which has helped to limit injury and fatality crashes at this location.

The development will generate an estimated 154 trips during the AM peak, and 81 during the PM peak. Of these, about 20% will be newly generated trips. The remaining 80% will likely be existing pass-by trips from commuters going from one place to another.

Generally, the intersection on Dodge Street at Scott Boulevard operates at acceptable Level of Service during the peak hours. On opening day, the intersection will experience an overall delay increase of a few seconds. Larger changes may be felt for particular movements upon signal optimization. All will continue to operate acceptably upon opening day.

The proposed site driveways intersections appear to be placed and spaced adequately per current engineering practice. We recommend installation of a southeastbound-right turn bay be considered on opening day in response to existing traffic crash history in the area.

The proposed site contains some multimodal deficiencies which should be addressed. Internal pedestrian facilities, accessible routes, and ADA parking should be refined.

#### **BACKGROUND AND SUMMARY**

This study was prepared to evaluate possible impacts resulting from a proposed mixeduse development on the southwest quadrant of the intersection on N Dodge Street (Highway 1) at Scott Boulevard (the development, site). This report assumes that design and construction will be completed in 2023, and fully occupied. Based on input from the governing traffic authority (MPOJC), the report generally includes the following:

- Summary and analysis of existing conditions, including capacity analysis at the following locations:
  - Intersection of Dodge Street and Scott Boulevard
  - Intersection of Scott Boulevard and N Dubuque Road (includes signal warrant analysis)
  - Any other proposed site access points
- Determination of Appropriate Zoning and Zoning Land Use
- Determination of appropriate ITE Trip Generation Land Use Code
- Determination of development trip generation
- Trip distribution and assignment
- Summary and analysis of proposed opening day (2023) conditions, including capacity analysis and signal warrant analysis as denoted above under existing conditions
- Review of overall site plan, access points, and general multimodal considerations
- Recommendation on adjustments and/or mitigation strategies for the proposed development and adjacent roadway network

Anderson-Bogert previously completed a traffic study for the MPOJC along Dodge Street. This report will utilize this previous data, analysis, and assumptions for this previous project to help maintain a sense of analytical consistency for MPOJC. Counts for 2018 were provided by MPOJC to the client from 2018. The previous study had counts on Dodge Street from 2021, and were utilized in order to maintain consistency with previous work.

#### **PROJECT DETAILS**

The project owner has planned a new development at the southwest corner of N Dodge Street (Highway 1) and Scott Boulevard in Iowa City, Iowa. The site contains both commercial and residential components. The proposed development consists of the following features:

- 10 Townhouse Dwelling Units (ITE Land Use 220: Multifamily Housing [Low Rise]
- 8 Dwelling Units above 1<sup>st</sup> Floor Commercial (ITE Land Use **231**: **Mid-Rise Residential with 1<sup>st</sup>-Floor Commercial**)
- 2,900 square-feet of mixed commercial use 1<sup>st</sup> Floor Various possible tenants unknown by project owner at the current time.
- A commercial coffee shop containing 1,900 square-feet and 30 customer occupancy (ITE Land Use 937: Coffee/Donut Shop with Drive-Through Window)

A plan view of the proposed development is provided below in **Figure 1**. The development will be slated for construction and completion in 2023, and will be assumed to be fully occupied at the time for the purposes of this study.

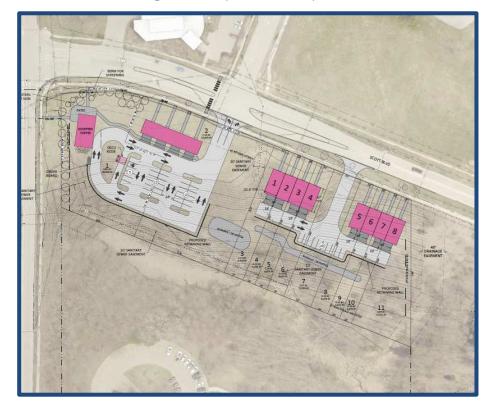


Figure 1 - Proposed Development

#### **EXISTING CONDITIONS AND CRASH HISTORY**

The site is currently vacant and undeveloped land. Figure 2 below shows an aerial image of the existing site. Located directly across Scott Boulevard is an active city fire station. As of August 2022, the property is zoned *CO1: Commercial Office.* The proposed retail and residential use does not appear to be consistent with the existing zoning. A change in zoning will be required. This proposed change in zoning has been provided on the attached site plan at the end of this report. The developer suggests splitting the property into multiple zones based on the anticipated uses. *CC-2 (Commercial Office Zone), MU (Mixed Use),* and *RM-20 (Medium Density Multi-Family Residential)* zonings have been provided for this development. According to the current lowa City Code, these zonings appear consistent with the proposed land uses.

The peak hour parameters for the area are as follows:

• AM Peak: 7:15 – 8:15

o PHF: 0.87

o Heavy Vehicles: 5%

• PM Peak" 4:30 - 5:30

o PHF: 0.95

o Heavy Vehicles: 3%



Figure 2 - Existing Site

A summary of the street network adjacent to the proposed development is provided below in **Table 1**.

Table 1 - Adjacent Roadway Network

Street Name	Location	Fed Classification	Appx Width	No. of Lanes	Posted Speed	Curb and Gutter	Surface Condition	2018 AADT	On- Street Parking
N Dodge Street (Highway 1)	North of Site	Principal Arterial	66' B-B	Varies @ Signal 2 NEB 1 Left-Turn+Median 1 SWB	45 mph	Yes	PCC - Good, Limited Cracking	West of Site - 12,800 East of Site - 22,000	No
Scott Boulevard	East of Site	Minor Arterial	54' B-B	Varies 2 SB Median 2 NB	35 mph	Yes	PCC - Good, Limited Cracking	13,100	No
N Dubuque Road	East of Site	Local	37' B-B	Varies 2 WB 1 EB	Not Posted	Yes	PCC - Good, Mid- Panel Cracking Evident	Unknown	No

Major Road	Minor Road	Control Type	Operation
N Dodge Street (Highway 1)	Scott Boulevard	Signalized	Uncoordinated
Scott Boulevard	N Dubuque Street	TWSC	N/A

The lowa Department of Transportation (IDOT) maintains an online database of reported crash data throughout the State of Iowa. Using this Iowa Crash Analysis Tool (ICAT), the development area was queried from 2017 to present day. A summary of crashes within the project area is provided in **Table 2**.

Table 2 - Crash Analysis Summary - Scott Boulevard at Dodge Street and Dubuque Road

Total Crashes	Fatal Crashes	Serious Injury Crashes	Minor, Possible, or Unknown Injuries	Property Damage Only Crashes
60	0	0	7	53
Day (Night) Crashes	Weather Contributing Crashes	Followed Too Close	Improper/Irratic Lane Change	Other
47 (13)	3	13	10	18
Ran Signal	Animal	Reckless Driving	Lost Control	Unknown or Not Specified
3	3	4	3	6

One estimate of intersection safety is intersection crash rate. An intersection crash rate measures number of crashes per million entering vehicles (MEV). The IDOT has published statewide crash statistics over the past decade or two. They have also published an average intersection crash rate report from a previous comprehensive study completed in the mid-1980's. It suggests that the average intersection crash rate in the State of lowa is around 0.9 crashes/MEV for an intersection between primary arterial and city street. The statistical 95% confidence interval was 1.8. A statistically significant crash rate is thus 2.7 crashes/MEV.

49 of these total crashes occurred within the signalized intersection of N Dodge Street and Scott Boulevard. Using the average Dodge Street AADT and Scott Boulevard AADT provided in **Table 1**, the intersection crash rate is calculated as **0.88**. This rate is still well below that of statistical significance. Out of all crashes, none resulted in serious injury or

fatalities. About 11% of crashes resulted in minor or unknown injuries. The predominant manner of crashes for the study area were sideswipe and rear-end. The ICAT crash characteristics report is provided at the end of this document. The largest fraction of crashes occurs in the PM peak between 4 PM and 6 PM, evenly distributed throughout the weekdays. 75 percent of the crashes occurred in dry conditions, under clear or cloudy weather.

South of the intersection on Scott Boulevard between N Dodge Street and N Dubuque Road, the predominant mode of crash is a same-direction sideswipe. This likely can be attributed to the fact that the inner southeastbound lane terminates with a left-turn lane onto N Dubuque Street. During a previous corridor study by Anderson-Bogert in 2021, it was noted that the majority of southwestbound left-turn traffic queues in the interior of the two southwestbound left-turn bays on Dodge Street. The few vehicles that choose to enter the exterior left-turn bay were often observed heavily accelerating through the intersection in an attempt to merge into the second receiving southeastbound through lane on Scott Boulevard. This reckless driving, combined with the second lane termination contribute to an increase in sideswipe/rear-end crashes in this location between Dodge Street and Dubuque Road.

## PROPOSED CONDITIONS, TRIP GENERATION, AND ASSIGNMENT

#### **Trip Generation**

The proposed land use requires the use of 3 separate ITE land use codes:

- 220: Multifamily Housing (Low Rise) 10 Townhouse Units
- 231: Mid-Rise Residential with 1<sup>st</sup>-Floor Commercial 8 Apartment Units above commercial development
- **Uncategorized**: commercial space for future commercial development 2,900 GFA
- 937: Coffee/Donut Shop with Drive-Through Window 1,900 GFA

The following trip generation table is shown in **Table 3**.

Estimated Site Trip Generation Scooter's Coffee Iowa City Scooter's Coffee, Townhouses, Commercial 1st Floor with Apartments Above Peak Hour of Adjacent Street \*Mid-rise with Commercial: Combined Eq: AM Peak PM Peak (2.65xKSF)+(0.03\*Units)+5.2 (VPH) (VPH) ITE 10th Edition Trip Generation Estimates Out In Out Land Use Code Units Quantity Multifamily Housing (Low-Rise) Units 10.0 4 5 220 Mid-Rise Residential with 1st-Floor 231 4 9 9 4 \*See Above 2.9/8 Commercial Coffee/Donut Shop with Drive-937 Seats 30.0 67 61 16 20 **Through Window** 1st Level Commercial N/A 1000SF 2.9 5 3 13 10 77 77 43 37 Total 154 81

Table 3 - ITE Trip Generation

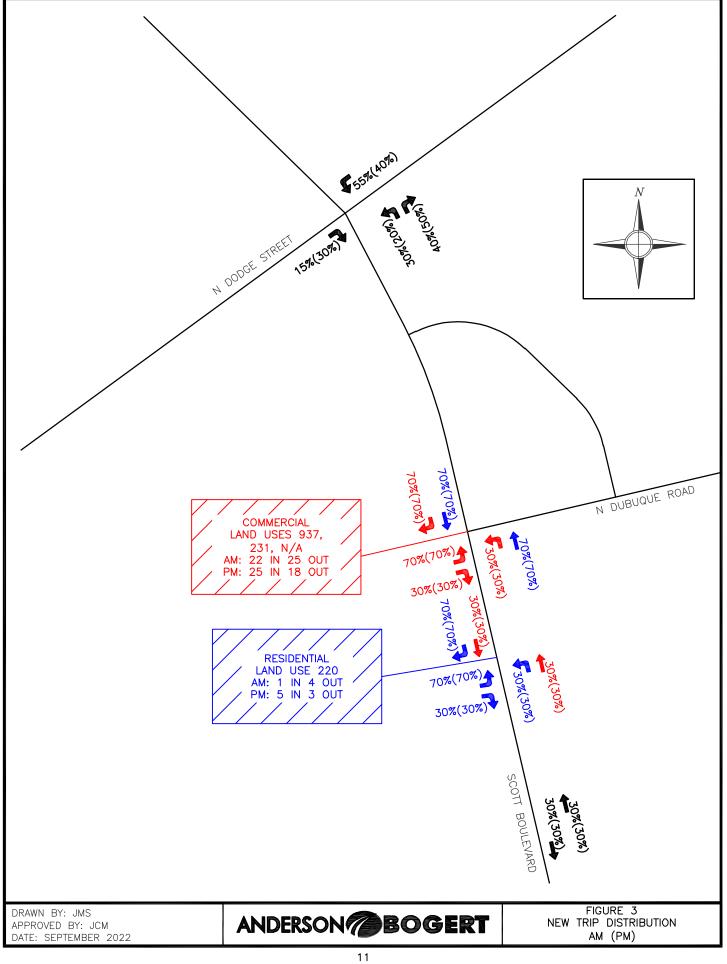
Based on the characteristic of this coffee shop proposal, using an assumed 30 seats appeared to be the most reasonable estimator when compared with other methods such as floor area. The 1<sup>st</sup> Level commercial area had no specific tenants at the time of this report. Several land use categories including things such as restaurants, apparel stores, health/fitness club, value (dollar) store, and drinking establishment were referenced. In an attempt to better represent any given tenant, average generation rates around 2.7 trips/1,000 square-feet and 8 trip-ends/1,000 square-feet for commercial were assumed. In total, the site could generate about 154 AM trip-ends and 81 PM trip-ends.

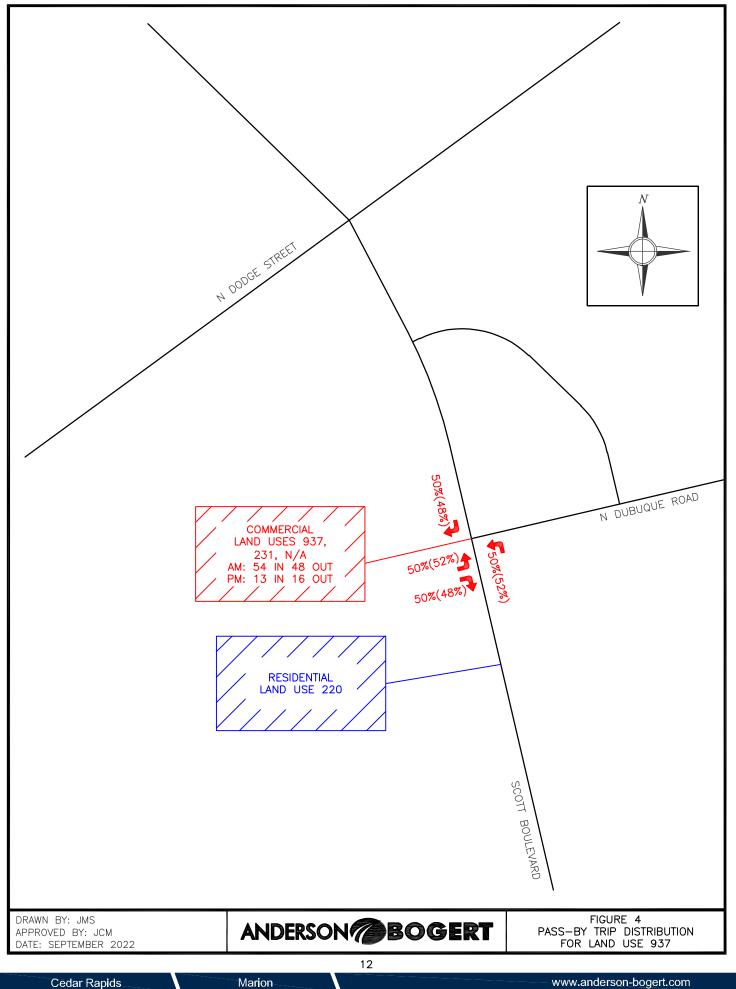
It is important to note that not all of these trips will likely be *newly generated trips*. For a coffee shop, the majority of patrons to the site will be pass-by trips. Pass-by trips are satisfied by vehicles *already* in the traffic stream on the adjacent roadway prior to development, but elect to stop in for coffee on the way to their original destination. The *Trip* 

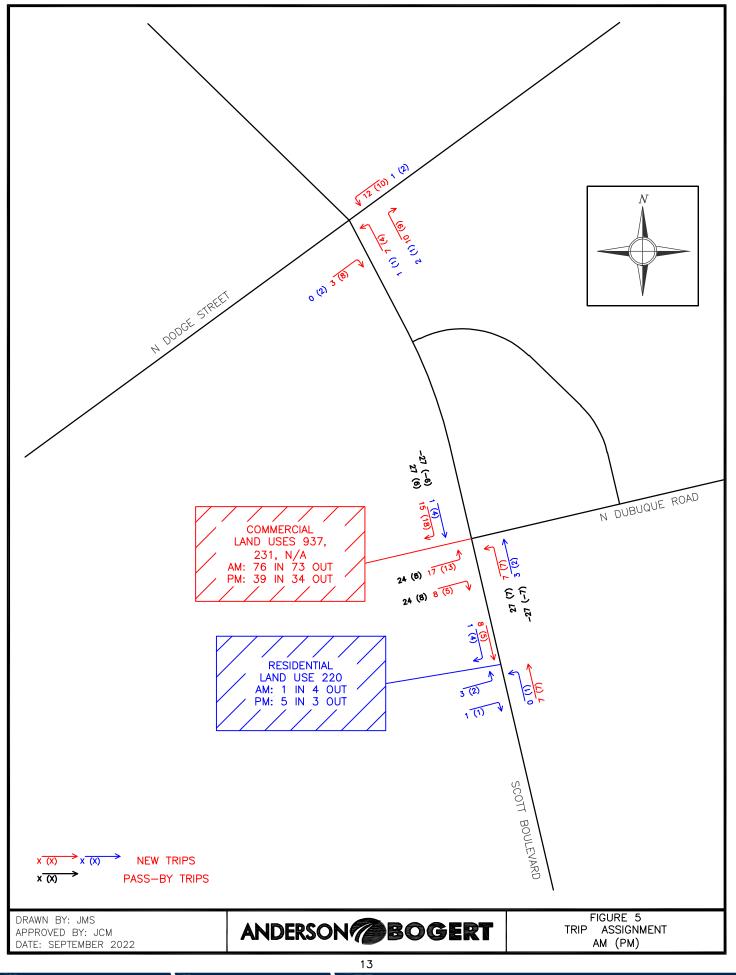
<u>Generation Handbook</u>, <u>3<sup>rd</sup> Edition</u> published by ITE provides data and relationships on pass-by trips. Appendix E shows that up to 85%-90% of coffee shop trip-ends are pass-by trips. As a result, these trip-ends are not additive to the existing traffic stream. The Appendix E data was based on coffee shops without indoor seating. This study conservatively assumes that **80%** of generated trips for the coffee shop will be pass-by, and **20%** of generated trips will be new. The non-pass-by trip-ends generated by the site are **52 AM** trip-ends and **51 PM** trip-ends.

#### Trip Distribution and Assignment

Generally, the trips were distributed according to the surrounding roadway network and density of commercial and residential development in the area. The majority of traffic will access the site via Highway 1 to the north of the site. Vehicles will generally originate or be destined for lowa City (via southbound Dodge Street/Highway 1) and Coralville/Cedar Rapids via I-80 and I-380 (via northbound Dodge Street). A small portion of traffic will access the site from Scott Boulevard to the south or from N Dubuque Street to the east. The majority of the generated trips will likely be pass-by trips already on the network. The distributions for pass-by trips and newly generated trips are assigned separately. The resulting trip distributions are provided in **Figures 3 and 4**. The resulting trip assignment is provided in **Figure 5**. For the purposes of this study, it was assumed that the trips between the residential portion and commercial portion of the development will be negligible. Due to the quantity of anticipated residential trips generated, it is also assumed that trips from the residential portion to N Dubuque Road will be negligible.







#### TRAFFIC COUNTS AND CAPACITY ANALYSIS

The current standard of representing the operating conditions for a roadway or intersection is the Level of Service (LOS). Per the *Highway Capacity Manual (HCM)*, the following descriptions are given for various LOS.

Table 4 - LOS

Level of Service	General Operating Conditions
А	Free Flow
В	Reasonably Free Flow
С	Stable Flow
D	Approaching Unstable Flow
E	Unstable Flow
F	Forced or Breakdown Flow

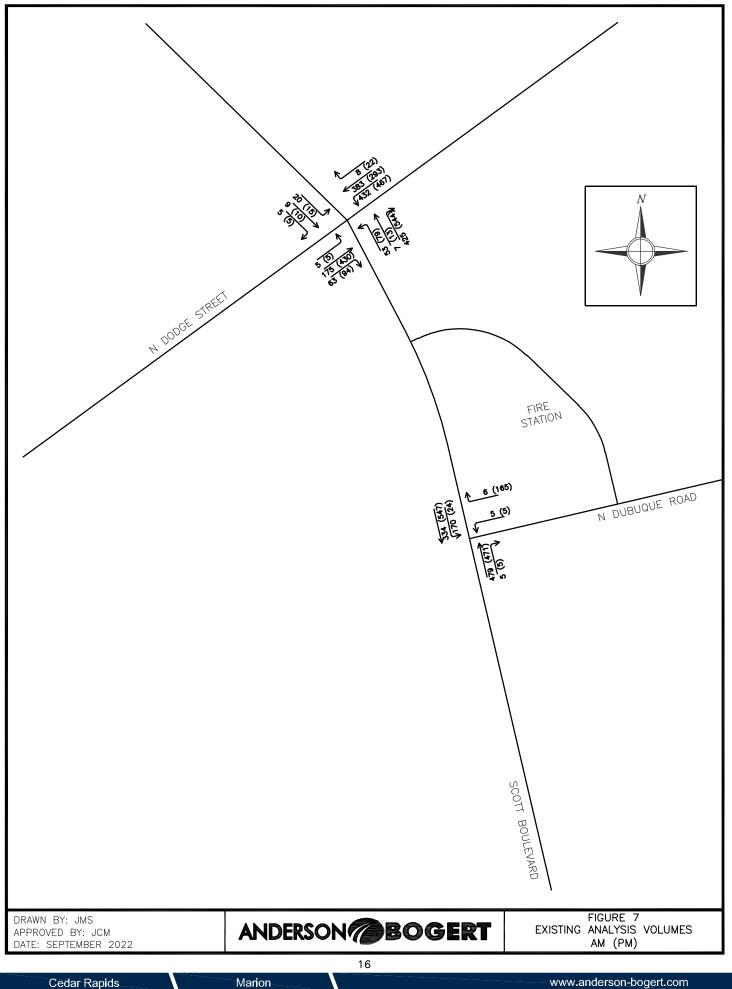
Typical standards of design depend on roadway classification. Typically, acceptable LOS is LOS D and above for long-term design. LOS F is considered unacceptable under current or future conditions.

#### **Analysis of Existing Conditions**

Existing traffic counts were collected by MPOJC and provided to Anderson-Bogert. Existing data on Dodge Street was from 2021 whereas Scott Boulevard at Dubuque Road was from 2018. The counts from 2021 were assumed to be more reflective of current daily conditions. The existing counts at Scott Boulevard and N Dubuque Roadway were adjusted to balance with previous studies at Scott Boulevard and Dodge Street. For the purposes of this study, an observed or projected traffic movement was rounded up to a minimum of 5 vehicles per hour. Existing analysis geometrics and volumes are provided below in **Figures 6 and 7**.



Figure 6 - Existing Scenario Geometrics



Under existing conditions, the signalized intersection on Dodge Street at Scott Boulevard operates at LOS (Level of Service) B during the AM peak, and C during the PM peak. The most critical movements appear to be the northeast through and the southwest left-turn movements, which directly conflict. It was noted that the southwest left dual turning lanes are not equally utilized. Because the inner southbound lane on Scott Boulevard immediately terminates in a left-only onto Dubuque Road, the majority of traffic uses the outer southbound left lane. A few vehicles use the inner lane, and end up "racing" or needing to make a merging maneuver once through the intersection. This was discussed previously within the crash analysis section.

Table 5 - Existing Signalized Capacity Analysis at Scott Blvd and Dodge Street

	Syn	J	d Control Analy		S				
Dodge Street (HWY1) AT SCOTT BOULEVARD  AM PM									
		Α	M			P	M		
	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (FT)	LOS	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (FT)	LOS	
			Scott Boule	vard					
SOUTHEASTBOUND									
L - 1	20	20.4	24	С	15	31.9	26	С	
T - 1	9	15.9	16	В	10	26	23	С	
R	5				5				
NORTHWESTBOUND									
L	53				79				
T - 1	7	22.8	55	С	13	42	99	D	
R - 1	425	3.1	46	Α	544	11.2	264	В	
			Dodge Str	eet					
NORTHEASTBOUND									
L - 1	5	32	15	С	5	27.6	10	С	
T - 2	175	17.6	85	В	430	30.9	193	С	
R	63				94				
SOUTHWESTBOUND									
L - 2	432	43.6	#571	D	467	27.3	#428	С	
T - 1	383	10.6	293	В	293	11.9	235	В	
R - 1	8	0		Α	22	0		Α	
OVERALL		19.3		В		22		С	
m = metered by upstream signal									
# = queue may exceed distance shown and available storage									

During the AM peak, all movements except the southwest-bound leg experience 95 percentile queues below 100 feet. The southwestbound leg sees extended queues several hundred feet for both the left and through movements. In the PM peak, queues are typically longer, at or below about 125 feet for all legs except the southwestbound-left movement which is just over a hundred feet shorter than the AM peak.

Under existing conditions, the intersection of N Dubuque Road and Scott Boulevard operates as a 3-way unsignalized intersection with stop control on the Dubuque Road approach. From the existing counts, the nearby ACT commercial facility to the east appears to contribute a large portion of traffic during both peak hours. The ACT trips in for the AM peak, and trips out for the PM peak are evident in the observed traffic counts.

Overall, the intersection operates at good LOS during both peak hours. The westbound leg experiences between 10-20 seconds of delay, but queues less than one vehicle in length. Based on the existing hourly volumes, the intersection at Dubuque Road and Scott Boulevard satisfies criteria for a signal warrant during the PM peak hour for warrants 1, 2, and 3. However, satisfying criteria for 1 hour is not enough alone to fully satisfy a signal warrant. Furthermore, the signal at Dodge Street and Scott Boulevard is in very close proximity, and helps to meter traffic at the Dubuque Road intersection to an extent.

Table 6 - TWSC Capacity Analysis at Dubuque Road and Scott Boulevard

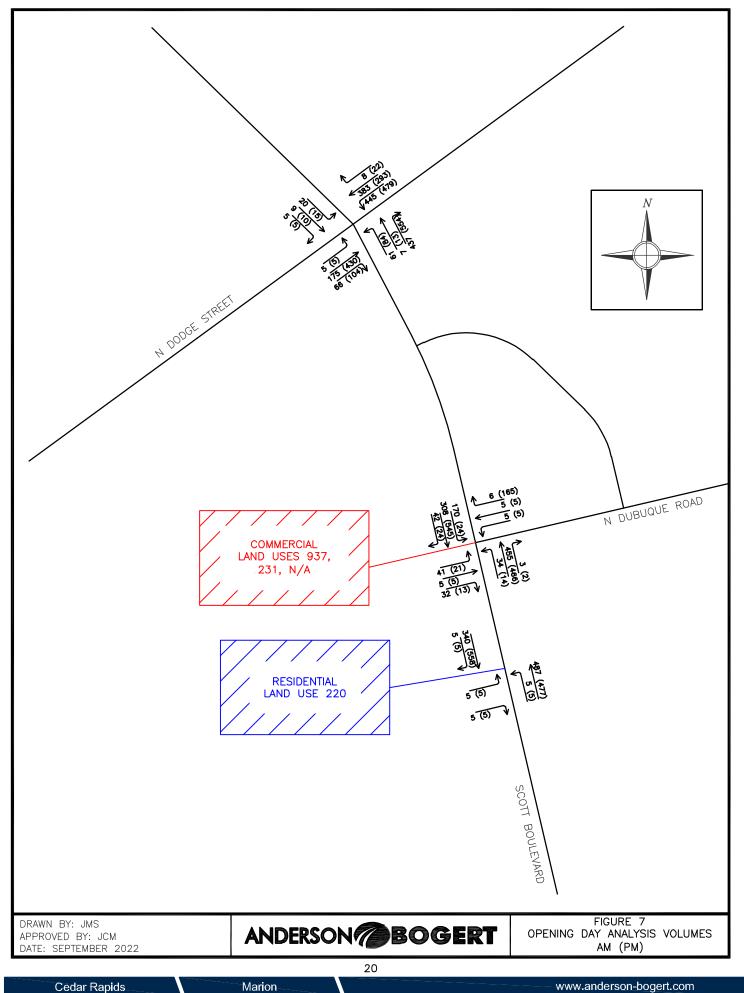
	0 1		-14/00 0 1 1		0					
Synchro Unsignalized TWSC Control Analysis - Existing Conditions										
Scott Boulevard at N Dubuque Road and Commercial Entrance										
		A				Pl	M			
	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (VEH)	LOS	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (VEH)	LOS		
			Scott Boule	vard						
SOUTHEASTBOUND										
L - 1	170	9.5	0.7	A	24	8.5	0.1	Α		
T - 1	334	0	0	А	547	0	0	А		
NORTHWESTBOUND										
T - 2	479	0	0	A	471	0	0	А		
R	5	0	0	A	5	0	0	A		
11	J		Dubuque R				<u> </u>			
SOUTHWESTBOUND										
L - 1	5	35.2	0.1	E	5	0.1	23.1	С		
		10.1		_						
R - 1	6	10.1	0	В	165	0.9	11.3	В		
OVERALL		1.9		A		1.8		Α		
m = metered by upstream signal # = queue may exceed distance shown and available storage										

### **Proposed Conditions Analysis**

The proposed roadway network is pictured below in Figure 8, and analysis volumes in Figure 9.



Figure 8 - Proposed Network



#### DODGE STREET AND SCOTT BOULEVARD

Under opening day conditions and optimized timing, the intersection at Dodge Street and Scott Boulevard operates at acceptable LOS B and C during the peak hours. The proposed signal timing will continue to operate as actuated-uncoordinated. The maximum splits were maintained as less than the required pedestrian interval for several movements. Typically, maximums should accommodate pedestrian intervals. However, the low amount of pedestrian traffic and excessive delay caused by increasing the cycle length or taking time from the critical movements is enough to merit shorter splits.

The traffic model provides that 95<sup>th</sup> percentile queues will be around 100 feet on northbound Scott Boulevard at Dodge Street. Since the Dubuque Road intersection and proposed commercial drive are over 300 feet from the signal, queues extending southward to this intersection are not expected to be a regular occurrence. Queueing through the fire station driveway is also not anticipated. With the proposed traffic, we find that the existing signal will generally continue to operate similarly to existing conditions provided timings are reoptimized.

Table 7 - Opening Day Signalized Analysis

	Synch	ro Signalized (	Control Analysi	s - Opening	Day Conditio	ns			
Dodge Street (HWY1) AT SCOTT BOULEVARD									
		Α	M			P	M		
	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (FT)	LOS	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (FT)	LOS	
			Scott Boule	vard		•			
SOUTHEASTBOUND									
L - 1	20	29.8	34	С	15	31.9	26	С	
T - 1	9	23.7	23	С	10	26	23	С	
R	5				5				
NORTHWESTBOUND									
L	61				84				
T - 1	7	32.7	88	С	13	42.3	104	D	
R - 1	437	4.7	93	Α	554	11.6	227	В	
			Dodge Str	eet					
NORTHEASTBOUND									
L - 1	5	45.4	19	D	5	28	10	С	
T - 2	175	29.8	132	С	430	30.8	198	С	
R	66				104				
SOUTHWESTBOUND									
L - 2	445	29.3	415	С	479	28.8	#454	С	
T - 1	383	9.7	272	Α	293	12.1	238	В	
R - 1	8	0		Α	22	0		Α	
OVERALL		18.1		В		22.5		С	
m = metered by upstream signal # = queue may exceed distance shown and available storage									

#### SCOTT BOULEVARD AND N DUBUQUE ROAD / PROPOSED COMMERCIAL ENTRANCE

Under opening day conditions, the intersection of Scott Boulevard at N Dubuque Road will become a 4-leg intersection. As discussed below, the intersection was analyzed including a southeastbound-right turn bay into the site. Scott Boulevard will operate freely, while the proposed site entrance and Dubuque Road legs will be stop controlled. The intersection continues to satisfy criteria for signal warrants 1,2, and 3 during the PM peak, and also satisfies criteria for warrant 1B during the AM peak. No right-turning volume auxiliary lane warrant criteria are satisfied for Scott Boulevard. **Exhibit 1** below shows the right-turn bay volume warrants.

#### Exhibit 1 - Southeastbound-Right Volume Warrants (AM Above, PM Below)

Figure 2 - 6. Guideline for determining the need for a major-road right-turn bay at a two-way stop-controlled intersection.

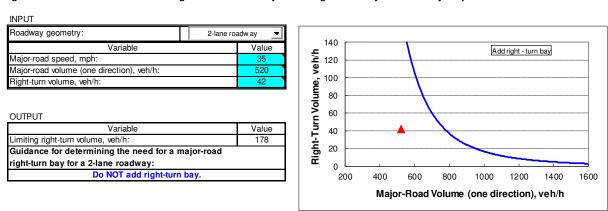
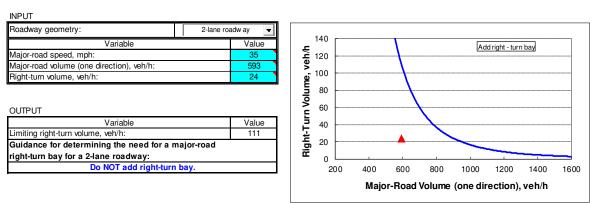


Figure 2 - 6. Guideline for determining the need for a major-road right-turn bay at a two-way stop-controlled intersection.



We feel that this intersection does warrant auxiliary lane treatment from a safety and operational perspective. Separating slower moving right-turn traffic from the faster through-movements where sideswipe and rear-end (speed differential) collisions are observed would help to reduce any additional speed differentials which may be created by right-turning traffic.

Northwestbound left turning bay volume warrants are provided in **Exhibit 2**. At this location, it was assumed that Scott Boulevard should be treated like a 2-lane roadway based on the roadway and lane configurations.

#### Exhibit 2 - Northwestbound Left Volume Warrant

Figure 2 - 5. Guideline for determining the need for a major-road left-turn bay at a two-way stop-controlled intersection.

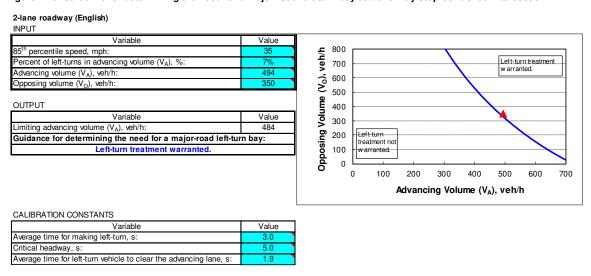
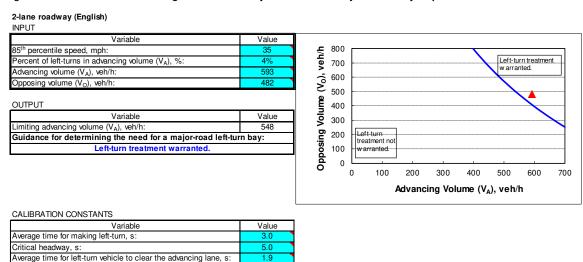


Figure 2 - 5. Guideline for determining the need for a major-road left-turn bay at a two-way stop-controlled intersection.



The northeastbound-left movement falls near the warrant line for both peak hours. We feel that the additional northeastbound lane developed at this location provides an opportunity for through traffic to bypass vehicles slowing to make a left turn into the site. Since it is developed immediately south of this location, it essentially acts a bypass lane without creating risks of additional sideswipe/lane change conflict points. Striping the inner lane to be an exclusive left lane also has negative impacts on the LOS of movements within the intersection, particularly those on both the commercial entrance and Dubuque Road. Thus, we do not feel that striping and exclusive left turn lane is merited upon opening day.

The proposed commercial site entrance in the AM peak, operates at LOS E. This is very common for unsignalized driveways on busy street. Although the delay is around 40 seconds per vehicle, the queue for these movements will typically remain below 2 vehicles at any given time. With about 80 vehicles exiting the site during the AM, this amounts to just over one vehicle a minute waiting to exit the site, therefore internal site queuing will not be a concern. Similarly, the Dubuque Road left and through movement operates at LOS F during the AM peak. No demand for this movement was observed during the peak hour, and the volume was set at 5 vehicles for analysis purposes. We don't anticipate the proposed development generating additional demand for either movement. Outside the AM peak hour, the movements will operate LOS E or above.

The HCM LOS methodology is unable to account for platoons in the southbound traffic stream at the adjacent signal at Dodge Street and Scott Boulevard. This signal operates as a meter, creating more acceptable gaps for vehicles to exit the proposed site and Dubuque Road. We anticipate the site commercial driveway and Dubuque Street approach will operate better than predicted in the HCM model. Thus, the LOS for the movements and intersection shown in **Table 8** appear to be acceptable.

Generally, this location satisfied criteria for signal warrants during the PM peak hour under existing conditions. In the proposed condition, the same criteria are satisfied during the PM peak, and criteria for signal warrant 1B is met in the AM peak hour. Warrant analysis tables have not been provided in the report, as the signal on Dodge Street at Scott Boulevard is located in the immediate vicinity. This location is not recommended for signalization as a result.

Table 8 - Unsignalized HCM 6th TWSC Opening Day Analysis

Synchro Unsignalized TWSC Control Analysis - Opening Day Conditions											
	Scott Boulevard at N Dubuque Road and Commercial Entrance										
		A	М			Pl	М				
	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (VEH)	LOS	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (VEH)	LOS			
			Scott Boule	vard							
SOUTHEASTBOUND											
L - 1	170	9.3	0.7	Α	24	8.5	0.1	Α			
T - 1	308	0	0	Α	545	0	0	Α			
R - 1	42	0	0	Α	24	0	0	Α			
NORTHWESTBOUND											
L	34	8.3	0.1	Α	14	8.8	0	Α			
T - 2	455	0.2	0	Α	466	0.1	0	Α			
R	5	0	0	Α	2	0	0	Α			
			Dubuque R	oad							
NORTHEASTBOUND											
L - 1	41	43.6	1.4	E	21	28.7	0.4	D			
T - 1	5				5						
R	32	14.9	0.3	С	13	16.1	0.2	С			
SOUTHWESTBOUND											
L - 1	5	53.5	0.2	F	5	31.1	0.1	D			
T - 1	5				5						
R	6	24.4	0.2	С	165	12.1	1	В			
OVERALL			4.4	Α			2.7	Α			
m = metered by upstream signal # = queue may exceed distance shown and available storage											

#### SCOTT BOULEVARD AND PROPOSED RESIDENTIAL ENTRANCE

On opening day, the new intersection created on Scott Boulevard at the proposed residential entrance will operate at good LOS during both peak hours. Queues are not anticipated to occur within the residential site. **Table 9** below summarizes the HCM capacity analysis.

Table 9 - Opening Day TWSC Analysis at Scott Boulevard and Residential Entrance

	Synchro Ur	nsignalized TW	/SC Control An	nalysis - Oper	ning Day Con	ditions					
	Scott Boulevard at Residential Entrance										
		A	М			P	М				
	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (FT)	LOS	VOLUME (VEH)	DELAY (SEC/VEH)	95TH-% QUEUE (FT)	LOS			
			Residential En	trance							
NORTHEASTBOUND											
L - 1	5	14.6	0.1	В	5	16.8	0.1	С			
R	5				5						
			Scott Boule	vard							
NORTHWESTBOUND											
L	5	8.1	0	A	5	8.7	0	A			
T - 1	487	0	0	A	477	0	0	Α			
SOUTHEASTBOUND											
	0.10		•		550						
T	340	0	0	A	558	0	0	A			
R	5	0	0	Α	5	0	0	A			
OVERALL		0.2		Α			0.2	Α			

#### SITE GEOMETRIC REVIEW

SUDAS design manual sections 5L-3 and 5L-4 provide current design standards for entrance/access design. The proposed entrances are about 400 feet apart as provided by the owner in **Figure 1**. This exceeds the minimum spacing criteria provided in the design guide. Furthermore, both entrances are less than 40 feet from back-to-back. This also meets current SUDAS standards. Both driveways are spaced greater than 170' from the nearest intersection, or are aligned directly with the existing Dubuque Road intersection. The anticipated queues from the nearby signalized intersection to the north is not expected to extend to this intersection. Thus, we find the proposed driveway locations to be generally compliant with current engineering practice, in terms of location. Intersection sigh distance shold not be an issue, but should be checked by the designer when the grades are known.

Upon inspection of **Figure 1**, the entrances generally appear to conform with the international fire code for required width, paving surface, and truck turnaround facilities. The owner should confirm with the fire marshal with jurisdiction in the area. The owner should also ensure access points/lanes around structures are also acceptable since these are not detailed on the provide site plan. Appropriate pavement markings and signage should be provided in the designated fire lanes.

#### MULTIMODAL REVIEW

The site contains an existing sidewalk along Scott Boulevard. It was not evaluated in this study for conformance to current ADA standards. The driveway crossings should be designed and constructed such that the running and cross slopes are compliant with current PROWAG and SUDAS guidance. Any disturbance of existing facilities will require replacement with compliant facilities.

There are several locations where sidewalks appear to terminate at curbs into the parking lot, with no designated receiving ramp, or pedestrian path in general. One such instance is shown in **Figure 10**. Alternative options should be considered to improve pedestrian paths which intersect the traveled way. Additional consideration should also be given to providing sidewalk access to Scott Boulevard along the commercial entrance drive.

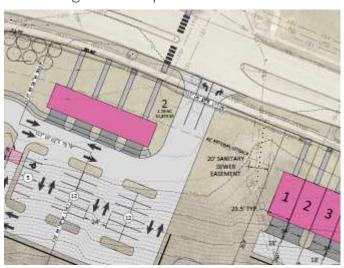


Figure 10 - Proposed ADA Facilities

The site plan shows a proposed new mid-block pedestrian crossing on Scott Boulevard, along the northern side of Dubuque Road. Currently, the through sidewalk to ACT is on the south side of Dubuque Road. Furthermore, the sidewalk on the south side of Scott Boulevard is wider and generally more accommodating to multiple types of non-motorized use. If necessary, the developer should consider relocating the proposed midblock crossing to the south side of Dubuque Road. This alternate location will require pedestrians to cross fewer lanes of traffic, provide a more direct route for the new sidewalk running on the south side of Dubuque Road, and provide a larger refuge area for pedestrians in the middle of Scott Boulevard. No pedestrians were observed during the existing peak hours.

Based on surrounding land uses, the proposed development is not anticipated to generate noticeable pedestrian traffic on opening day. As a result, a new crossing may not be warranted by the proposed development. A preferred and safer crossing location is at the existing signalized crosswalk along Dodge Street.

If a new uncontrolled pedestrian crossing is provided, additional safety improvements should be considered to improve pedestrian safety at the location. Table 1 presented in NCHRP Synthesis 498 *Application of Pedestrian Crossing Treatments for Streets and Highways* suggests that adding a marked crosswalk in the given Scott Boulevard conditions may not be adequate alone for improved pedestrian safety. The current and anticipated site pedestrian traffic volume is below warrants for a hybrid beacon as described in Chapter 4F of the MUTCD.

Another accessibility concern is regarding ADA compliant parking and accessible routes. The number of anticipated accessible dwellings was not provided to Anderson-Bogert. However, based on Section 8C-1 and Table 8C-1.02 of the SUDAS Design Manual, the site may require additional compliant parking spaces than the lone spot provided on the proposed site plan.

The ADA compliant spot shown in **Figure 11** does not appear to be ideally located for access to either the Scooter's Coffee structure or the proposed 1<sup>st</sup> Floor commercial space. It also does not appear to contain the required access lane adjacent to the parking spot. Per PROWAG, this spot should be placed as close as feasible to the structures it serves. On a newly developed site, this is typically closer and more direct. We could not tell from the site plan that there was an ADA compliant accessible route from the ADA parking stall to any of the commercial structures. At this stage, the site plan does not show anticipated accessible routes and ramp facilities which connect the parking lot and structures.

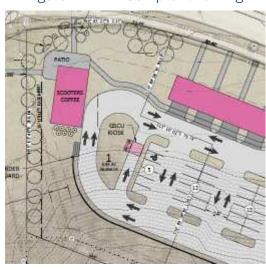


Figure 11 - ADA Compliant Parking

The site generally appears to accommodate bike traffic. The sidewalk along Scott Boulevard is wider than a typical pedestrian sidewalk, about 8 feet. The sidewalk is not as wide as the minimum typical width of 10 feet for shared-use path design. Bikes will not likely desire to ride on Dodge Street, but could traverse the intersection by riding with traffic. Scott Boulevard to the south becomes a 2-lane roadway with minimal width outside the traveled way, including curbs. Bikes may choose to ride the wide existing sidewalk instead of riding with traffic. The site can accommodate access for bikes to either.

At the time of this report, lowa City Transit operates a transit route along Scott Boulevard and Dodge Street adjacent to the site. There is a designated stop on Dodge Street northeast bound just prior to entering the signalized intersection (see **Figure 12**). The transit stop at this location is no ADA compliant. The site design generally appears to provide an accessible path from the structures to the existing public sidewalk required to access this transit stop.

North Dodge St & Scott Blvd

ACT - Lindquist

Convaciny

North Dodge St & Scott Blvd

ACT - Lindquist

ACT - Scotter

North Dodge St & Scott Blvd

Convaciny

ACT - Scotter

ACT - Tyler

Building

North Dodge St & Scott Blvd

ACT - Tyler

Building

Figure 12 - Transit Route

#### CONCLUSIONS AND RECOMMENDATIONS

#### Dodge Street at Scott Boulevard

In general, we found that the existing signal on Dodge Street at Scott Boulevard could continue to operate acceptably on opening day if the development is constructed as proposed herein. At the time of this report, the developer did not have specific plans or tenants for the 1st Floor Commercial development. As such, trip generation, distribution, and assignment were assumed based on a combination of possible land uses.

#### Site Access Intersections

We recommend that the site access points be constructed and located as shown within the figures provided in this report. As drawn by the developer, driveways appear to be optimally located, spaced, and sized. We recommend that the development be constructed with a southeastbound-right turn bay. Should a bay not be included on opening day, we would recommend a larger curb-return radius to allow faster entry into the site, but also recommend the site be configured such that a right-turn bay could be easily added.

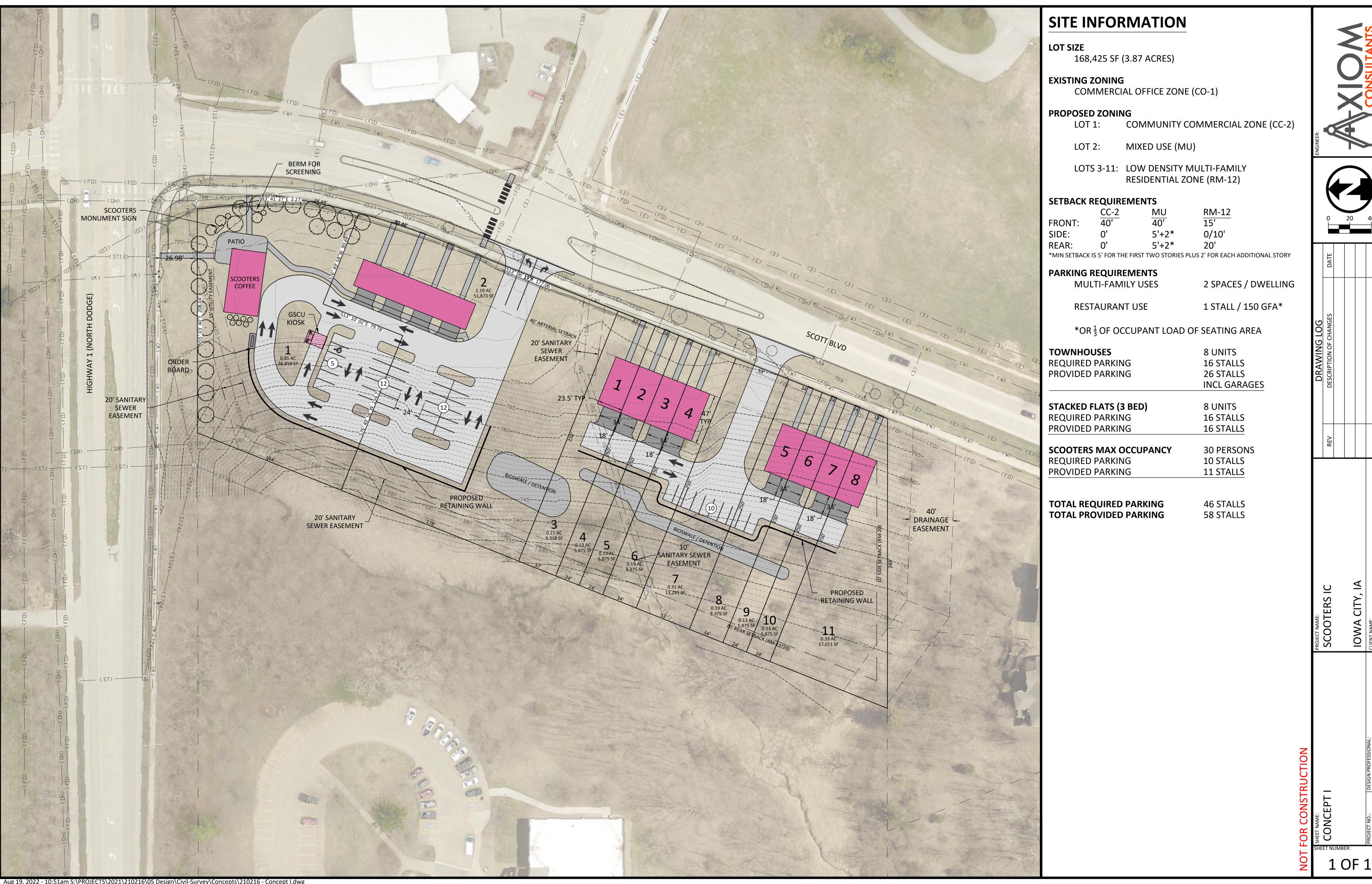
There does not appear to be a possibility for further development within the project site which would contribute additional demand on the commercial driveway. It is not anticipated that future volumes on the commercial site access will change from those anticipated on opening day.

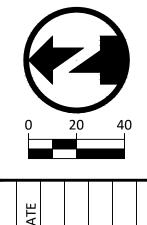
#### Multimodal and Internal Site

We recommend that the site be reviewed and modified to better accommodate all modes of traffic. The proposed site plan appears to have several sidewalks and pedestrian crossings which are not located ideally. The designer should limit the pedestrian-vehicle conflict points and crossing distances as much as feasible. As shown, the proposed pedestrian routes may be confusing to both pedestrians and drivers.

We recommend that the site be reviewed in regards to accessible parking and accessible routes to/from structures. Since a portion of the commercial space is unknown, the site will likely require additional accessible spaces. The space shown on the provided plan does not appear to have a required access lane and direct path to the structures it serves.

The proposed site will primarily generate vehicular trips as opposed to pedestrian trips based on surrounding land uses. A new crossing may not be warranted by the proposed site alone. The need, location, warrant, and safety devices for this crossing should be reevaluated by MPOJC.







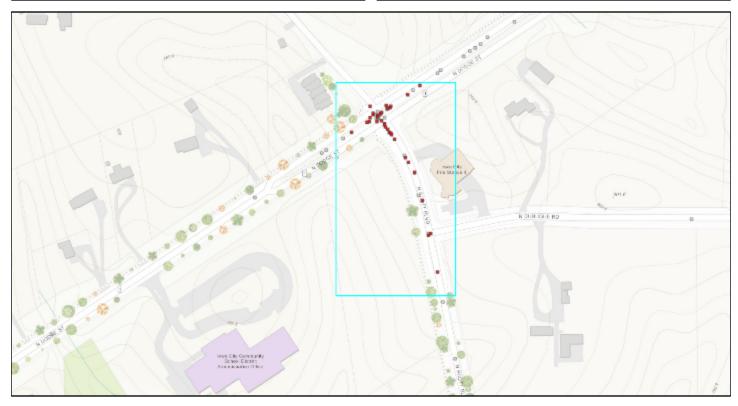
#### Iowa Crash Analysis Tool Crash Characteristics 2017-2022

Crash Severity	60
Fatal Crash	0
Suspected Serious Injury Crash	0
Suspected Minor Injury Crash	2
Possible/Unknown Injury Crash	5
Property Damage Only	53

Injury Status Summary	8
Fatalities	0
Suspected serious/incapacitating	0
Suspected minor/non-incapacitating	2
Possible (complaint of pain/injury)	5
Unknown	1

Property/Vehicles/Occupants	
Property Damage Total (dollars):	246,312.00
Average (per crash dollars):	4,105.20
Total Vehicles:	121.00
Average (per crash):	2.02
Total Occupants:	159.00
Average (per crash):	2.65

Average Severity		
	Fatalities/Fatal Crash:	0.00
	Fatalities/Crash:	0.00
	Injuries/Crash:	0.12
	Major Injuries/Crash:	0.00
	Minor Injuries/Crash:	0.03
Possible	/Unknown Injuries/Crash:	0.08



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Time of Day/Day	of Wee	k												
Day of Week	12 AM to 2 AM	2 AM to 4 AM	4 AM to 6 AM	6 AM to 8 AM	8 AM to 10 AM	10 AM to Noon	Noon to 2 PM	2 PM to 4 PM	4 PM to 6 PM	6 PM to 8 PM	8 PM to 10 PM	10 PM to 12 AM	Not reporte d	Total
Sunday	0	0	0	1	0	0	1	1	0	0	0	0	0	3
Monday	0	0	0	2	0	2	1	3	1	2	0	0	0	11
Tuesday	0	0	0	0	1	0	2	2	5	0	2	0	0	12
Wednesday	0	0	0	2	0	1	0	2	1	0	1	0	0	7
Thursday	0	0	0	0	0	1	3	0	4	2	0	0	0	10
Friday	0	0	0	1	1	1	1	0	5	2	1	0	0	12
Saturday	0	0	1	0	0	2	0	1	0	1	0	0	0	5
Total	0	0	1	6	2	7	8	9	16	7	4	0	0	60

Month	60
January	9
February	5
March	5
April	6
May	6
June	5
July	3
August	3
September	3
October	6
November	2
December	7
Not reported	0

September	3
October	6
November	2
December	7
Not reported	0
Lighting	60
Daylight	47
Darkness	9
Morning Twilight (dawn 30 minutes after sunri	2
<u></u>	2
Evening Twilight (dusk 30 minutes before suns	

Weather Conditions	60
Clear	33
Cloudy	16
Fog, smoke, smog	0
Freezing rain/drizzle	0
Rain	5
Sleet, hail	0
Snow	3
Blowing snow	0
Severe winds	1
Blowing sand, soil, dirt	0
Not reported	1
Other	0
Unknown	1

Contributing Circumstance - Environment	60
None apparent	55
Weather conditions	3
Visual obstruction	0
Non-motorist action	0
Glare	0
Animal in roadway	0
Severe crosswind	0
Not reported	2
Other	0
Unknown	0

Light Condition	60
Daylight	46
Dusk	3
Dawn	0
Dark - roadway lighted	9
Dark - roadway not lighted	1
Dark - unknown roadway lighting	0
Unknown	0
Not reported	1

Surface Conditions	60
Dry	45
Wet	10
Ice/frost	0
Snow	4
Slush	0
Mud, dirt	0
Water (standing or moving)	0
Sand	0
Oil	0
Gravel	0
Not reported	1
Other	0
Unknown	0

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Major Cause			56
Animal	3	Ran traffic signal	3
Ran stop sign	0	Failed to yield to emergency vehicle	0
FTYROW: At uncontrolled intersection	0	FTYROW: Making right turn on red signal	0
FTYROW: From stop sign	1	FTYROW: From yield sign	0
FTYROW: Making left turn	0	FTYROW: From driveway	0
FTYROW: From parked position	0	FTYROW: To pedestrian	0
FTYROW: Other	0	Drove around RR grade crossing gates	0
Disregarded RR Signal	0	Crossed centerline (undivided)	0
Crossed median (divided)	0	Traveling wrong way or on wrong side of road	0
Aggressive driving/road rage	0	Driving too fast for conditions	2
Exceeded authorized speed	0	Improper or erratic lane changing	10
Operating vehicle in an reckless, erratic, ca	4	Followed too close	13
Passing: On wrong side	0	Passing: Where prohibited by signs/markings	0
Passing: With insufficient distance/inadequa	0	Passing: Through/around barrier	0
Passing: Other passing	0	Made improper turn	1
Driver Distraction: Manual operation of an e	0	Driver Distraction: Talking on a hand-held d	0
Driver Distraction: Talking on a hands free	0	Driver Distraction: Adjusting devices (radio	0
Driver Distraction: Other electronic device	0	Driver Distraction: Passenger	0
Driver Distraction: Unrestrained animal	0	Driver Distraction: Reaching for object(s)/f	0
Driver Distraction: Inattentive/lost in thou	0	Driver Distraction: Other interior distracti	1
Driver Distraction: Exterior distraction	1	Ran off road - right	1
Ran off road - straight	0	Ran off road - left	0
Lost control	3	Swerving/Evasive Action	0
Over correcting/over steering	0	Failed to keep in proper lane	0
Failure to signal intentions	0	Traveling on prohibited traffic way	0
Vehicle stopped on railroad tracks	0	Other: Vision obstructed	0
Other: Improper operation	0	Other: Disregarded warning sign	0
Other: Disregarded signs/road markings	1	Other: Illegal off-road driving	0
Downhill runaway	0	Separation of units	0
Towing improperly	0	Cargo/equipment loss or shift	0
Equipment failure	0	Oversized load/vehicle	0
Other: Getting off/out of vehicle	0	Failure to dim lights/have lights on	0
Improper backing	0	Improper starting	0
Illegally parked/unattended	0	Driving less than the posted speed limit	0
Operator inexperience	1	Other	5
Unknown	6	Not reported	0
Other: No improper action	0		

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Manner of Crash Collision	60
Non-collision (single vehicle)	5
Head-on (front to front)	0
Rear-end (front to rear)	29
Angle, oncoming left turn	1
Broadside (front to side)	4
Sideswipe, same direction	20
Sideswipe, opposite direction	0
Rear to rear	0
Rear to side	0
Not reported	1
Other	0
Unknown	0

Location of First Harmful Event	60
On roadway	58
Shoulder	0
Median	0
Roadside	1
Gore	0
Outside trafficway	0
In parking lane/zone	0
Continuous left turn lane	0
Separator	0
Not reported	0
Other	0
Unknown	1

Event Summ	vent Summary - Non-Collision								
			Seque	ence					
First	Most		·						
Harmful	Harmful	1st	2nd	3rd	4th				
0	0	0	0	0		0 Overturn/rollover			
0	0	0	0	0		0 Jackknife			
0	0	0	0	О		0 Non-contact vehicle (phantom)			
0	0	0	0	О		0 Vehicle went airborne			
0	0	0	0	0		0 Fell/jumped from vehicle			

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Event Summa	ary - Collision	With		Total Vehicles: 121		
First	Most					
Harmful	Harmful	1st	2nd	3rd	4th	
0	0	0	0	0		0 Thrown or falling object
3	2	2	0	0		0 Animal
1	1	1	0	o		0 Non-motorist (see non-motorist section - NOT
53	107	109	5	1		0 Vehicle in traffic
0	0	О	o	o		0 Re-entering roadway
0	0	О	0	О		0 Parked motor vehicle
0	0	О	0	О		0 Work zone maintenance equipment
0	0	О	0	О		0 Railway vehicle/train
0	0	О	0	О		0 Struck/struck by object/cargo/person from oth
0	0	0	0	0		0 Other non-fixed object

Event Summ	ary - Collisior	With Fixed C	bject			Total Vehicles: 121
	Sequence					
First	Most		-			
Harmful	Harmful	1st	2nd	3rd	4th	
0	0	0	0	0		0 Bridge overhead structure
0	0	0	0	0		0 Bridge pier or support
0	0	0	0	0		0 Bridge/bridge rail parapet
1	0	0	1	0		0 Curb/island/raised median
0	0	0	0	0		0 Ditch
0	0	0	0	0		0 Embankment
0	0	0	0	0		0 Ground
0	0	o	0	0		0 Culvert/pipe opening
0	0	o	0	0		0 Guardrail - face
o	0	o	0	0		0 Guardrail - end
o	0	o	0	0		0 Concrete traffic barrier (median or right sid
o	0	o	0	0		0 Other traffic barrier
o	0	o	0	0		0 Cable barrier
o	0	o	0	0		0 Impact attenuator/crash cushion
o	0	o	0	0		0 Utility pole/light support
o	1	o	0	1		0 Traffic sign support
0	0	o	0	0		0 Traffic signal support
o	0	o	0	0		0 Other post/pole/support
o	0	o	0	0		0 Fire hydrant
o	0	o	0	0		0 Mailbox
o	0	o	o	0		0 Tree
0	0	o	0	0		0 Landscape/shrubbery
0	0	o	0	0		0 Snow bank
0	0	ol	0	0		0 Fence
0	0	0	ol	0		0 Wall
0	0	0	ol	0		0 Building
0	0	ol	0	0		1 Other fixed object

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Event Summ	ary - Miscellar	neous Events	}				Total Vehicles: 121
First	Most		Sequer	nce			
Harmful	Harmful	1st	2nd	3rd	4th		
0	0	0	0	0		0 Fire/explosion	
0	0	0	0	0		0 Immersion	
0	2	o	6	o		0 Hit and run	
0	0	О	0	0		0 Eluding law enforcement	
0	0	О	0	0		0 Gas inhalation/asphyxiation	
0	0	0	0	0		0 Vehicle out of gear/rolled	

Fixed Object Struck		121	
Bridge overhead structure	0	Bridge pier or support	0
Bridge/bridge rail parapet	0	Curb/island/raised median	0
Ditch	0	Embankment	0
Ground	0	Culvert/pipe opening	0
Guardrail - face	0	Guardrail - end	0
Concrete traffic barrier (median or right sid	0	Other traffic barrier	0
Cable barrier	0	Impact attenuator/crash cushion	0
Utility pole/light support	0	Traffic sign support	1
Traffic signal support	0	Other post/pole/support	0
Fire hydrant	0	Mailbox	0
Tree	0	Landscape/shrubbery	0
Snow bank	0	Fence	0
Wall	0	Building	0
Other fixed object	0	None (no fixed object struck)	120

Drug/Alcohol Related	60
Drug	0
Alcohol (< Statutory)	0
Alcohol (Statutory)	1
Drug and Alcohol (< Statutory)	0
Drug and Alcohol (Statutory)	0
Refused	0
Under Influence of Alcohol/Drugs/Medications	0
None Indicated	59

	_
Non-Motorist Type	1
Pedestrian	0
Pedalcyclist (bicycle/tricycle/unicycle/pedal	1
Pedalcycle passenger	0
In or on building	0
Horse and buggy	0
Skater, personal conveyance, wheelchair	0
Not reported	0
Other non-motorist	0
Unknown	0

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Road Classifiction	60
Interstate	0
US Route	0
Iowa Route	38
Secondary Road	0
Municipal Road	17
Institutional Road	0
Other	0
Unknown	5

Work Zone Type	0
Lane closure	0
Lane switch/crossover	0
Work on shoulder or median	0
Intermittent or moving work	0
Not reported	0
Other	0
Unknown	0

Work Zone Location	0
Before work zone warning sign	0
Advance warning area	0
Transition area	0
Within or adjacent to work activity	0
Termination area	0
Not reported	0
Other	0
Unknown	0

Work Zone Activity	0
Construction	0
Maintenance	0
Utility	0
Not reported	0
Other	0
Unknown	0

Workers Present	0
Workers only	0
No workers present	0
Workers and officer present	0
Law enforcement only	0
No one present	0
Not reported	0
Other	0
Unknown	0

Intersection Classification	60
Interstate - Interstate	0
Interstate - US Route	0
Interstate - IA Route	0
Interstate - Secondary	0
Interstate - Municipal	0
Interstate - Institutions	0
US Route - US Route	0
US Route - IA Route	0
US Route - Secondary	0
US Route - Municipal	0
US Route - Institutions	0
IA Route - IA Route	0
IA Route - Secondary	0
IA Route - Municipal	28
IA Route - Institutions	0
Secondary - Secondary	0
Secondary - Municipal	0
Secondary - Institutions	0
Municipal - Municipal	3
Municipal - Institutions	0
Institutions - Institutions	0
Not Indicated as an Intersection	29
Unlocated or Unknown	0

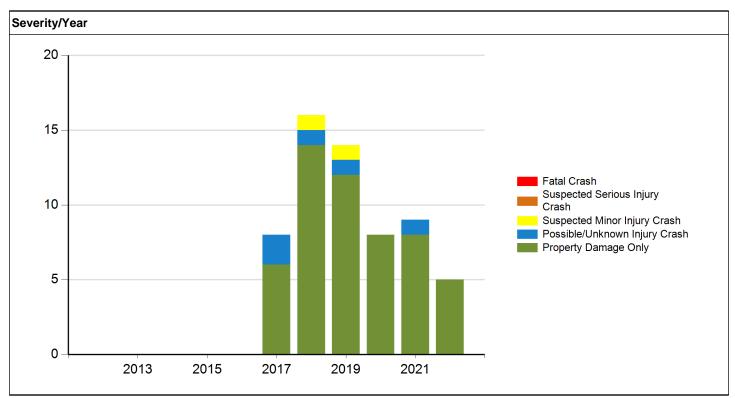
Contributing Circumstance - Road	60
None apparent	52
Surface condition (e.g., wet, icy)	4
Debris	0
Ruts/holes/bumps	0
Work Zone (roadway-related)	0
Slippery, loose, or worn surface	1
Obstruction in roadway	0
Traffic control obscured	0
Shoulders (none, low, soft, high)	0
Non-highway work	0
Traffic backup, prior crash	0
Traffic backup, regular congestion	1
Traffic backup, prior non-recurring incident	0
Disabled vehicle	0
Not reported	2
Other	0
Unknown	0

Work Zone Related	0
Yes	0
No	0
Unknown	0
Not reported	0

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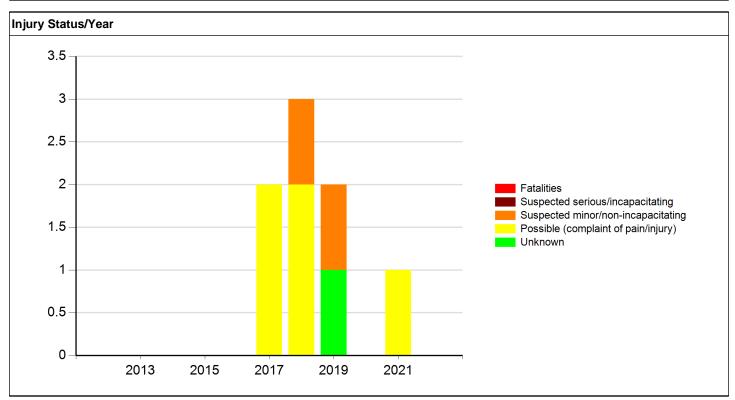
Crash Severity -	Crash Severity - Annual					
Crash Year	Fatal Crash	Suspected Serious Injury Crash	Suspected Minor Injury Crash	Possible/Unknown Injury Crash	Property Damage Only	Total
2012	0	0	0	0	0	0
2013	0	0	0	0	0	0
2014	0	0	0	0	0	0
2015	0	0	0	0	0	0
2016	0	0	0	0	0	0
2017	0	0	0	2	6	8
2018	0	0	1	1	14	16
2019	0	0	1	1	12	14
2020	0	0	0	0	8	8
2021	0	0	0	1	8	9
2022	0	0	0	0	5	5
Total	0	0	2	5	53	60



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Injury Status - A	nnual					
Crash Year	Fatalities	Suspected serious/incapac itating	Suspected minor/non-incapacitating	Possible (complaint of pain/injury)	Unknown	Total
2012	0	0	0	0	0	0
2013	0	0	0	0	0	0
2014	0	0	0	0	0	0
2015	0	0	0	0	0	0
2016	0	0	0	0	0	0
2017	0	0	0	2	0	2
2018	0	0	1	2	0	3
2019	0	0	1	0	1	2
2020	0	0	0	0	0	0
2021	0	0	0	1	0	1
2022	0	0	0	0	0	0
Total	0	0	2	5	1	8



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Meeting the following criteria		
Jurisdiction: Statewide Year: 2017, 2018, 2019, 2020, 2021, 2022 Map Selection: Yes Filter: None		
Analyst Information		

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CIVIL · STRUCTURAL · MECHANICAL · ELECTRICAL · SURVEY · SPECIALTY

November 15, 2022

### APPLICANT'S STATEMENT FOR REZONING

The proposed development area consists of a Parcel #1002153001, located at the southwest corner of N Dodge Street (Hwy 1) and N Scott Boulevard in Iowa City. Refer to the Rezoning Exhibit included with the Rezoning Application for additional information and detail. The current zoning classification is CO-1, Commercial Office Zone. The Applicant is seeking to rezone property to OPD/CC-2, Community Commercial, and OPD/RM-12, Low Density Multi-Family.

The applicant is proposing to comply with all setbacks and area regulations with the CC-2 and RM-12 zone. The proposed commercial is intended and anticipated to consist of a Scooter's Coffee, as a sit-down establishment as well as consisting of a drive-through. Additionally, within the CC-2 zoning, a Mixed Use building is anticipated which would consist of neighborhood commercial on the ground floor and residential living above. A drive-through ATM kiosk is also proposed to be within the CC-2 zoning limits. The proposed RM-12 zoning limits is to consist of residential townhomes as depicted in the preliminary Site Plan.

Based on field survey and topographic data, it is projected that this development will impact critical and steep slopes as defined by the City of lowa City Sensitive Areas Ordinance. No protected slopes are identified or intended to be disturbed. There is city water, storm sewer, and sanitary sewer adjacent to the area being re-zoned. Existing easements are in place within the parcel and have been identified and discussed with City staff. Storm water management is anticipated to be incorporated into the development plan based on City of lowa Design Standards.

Discussion has taken place with City staff in terms of traffic impacts on Scott Boulevard and North Dodge, and a Traffic Impact Study report was completed and provided to the City of Iowa City as requested. Any and all requirements determined from that report have been taken into consideration and incorporated into the current preliminary Site Plan. The total area being re-zoned is 3.87 acres.

Sincerely,

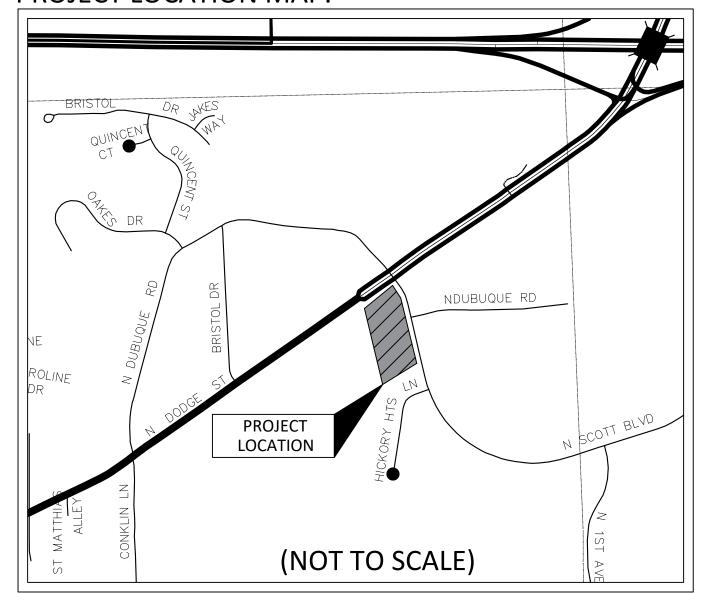
Brian A. Boelk, PE PRINCIPAL/OWNER

wySoll

# PRELIMINARY PLANNED DEVELOPMENT OVERLAY PLAN

TIMBER VALLEY RUN
IOWA CITY, IOWA

PROJECT LOCATION MAP:



# **SITE INFORMATION**

**LOT SIZE** 

168,425 SF (3.87 ACRES)

PAVEMENT: 48,952 SF (1.12 ACRES) BUILDING: 15,317 SF (0.35 ACRES)

15 DWELLING UNITS / ACRE

MAXIMUM DENSITY =

NET LAND AREA = 3.87 ACRES

TOTAL DWELLING UNITS = 17

PROPOSED DENSITY = 4.39 DWELLING UNITS / ACRE

**EXISTING ZONING** 

COMMERCIAL OFFICE ZONE (CO-1)

PROPOSED ZONING

LOTS 1-2: OPD/CC-2

LOTS 3-12: OPD/RM-12

SETBACK REQUIREMENTS

FRONT:  $\frac{CC-2}{40'}$   $\frac{RM-12}{40'}$  SIDE: 0' 0/10' REAR: 0' 20'

### PARKING | PARKING | PARKING LOT SIZE LOT SIZE (AC) FAR RATIO | REQUIRED | PROVIDED | **LAND USE** 40,854 0.94 0.05 RESTAURANT 1 / 150 GFA 10 1 / UNIT & 1 8 (1) BEDROOM UNITS & / 150 GFA RESTAURANT 47,878 1.10 0.07 0.19 | 0.13 | 8,238 RESIDENTIAL 2 / UNIT 0.09 0.29 RESIDENTIAL 2 / UNIT 0.09 0.29 RESIDENTIAL 2 / UNIT 0.09 0.29 2 / UNIT RESIDENTIAL 0.15 0.17 6,500 RESIDENTIAL 2 / UNIT 0.15 | 0.17 | 2 / UNIT RESIDENTIAL 0.09 0.29 2 / UNIT RESIDENTIAL 0.09 0.29 RESIDENTIAL 2 / UNIT 9,095 0.21 0.12 RESIDENTIAL 2 / UNIT

12 | 30,273 | 0.69 | - | OUTLOT | 0 | TOTAL: 168,425 | 3.87 | TOTAL:

**NOTES:** 

- 1. PER 14-3A-4C-1a, THE ATTACHED SINGLE FAMILY UNITS WILL BE SUBJECT TO THE STANDARDS OUTLINED IN 14-4B-4A-3 ATTACHED SINGLE-FAMILY DWELLINGS IN RM-12 ZONES. THESE STANDARDS WILL BE REVIEWED AT THE TIME OF BUILDING PERMIT.
- 2. A CROSS ACCESS EASEMENT SHALL BE OBTAINED BETWEEN LOTS 1 AND 2 TO PROVIDE SHARED ACCESS.
- 3. ATTACHED SINGLE-FAMILY SHALL DEMONSTRATE COMPLIANCE WITH THE CITY'S PRIVATE OPEN SPACE STANDARDS (14-2A-4E) PRIOR TO ISSUANCE OF A BUILDING PERMIT.
- 4. OUTLOT FOR GREEN SPACE AND STORMWATER MANAGEMENT AS DEEMED NECESSARY.

# APPLICANT INFORMATION:

APPLICANT:
A LATTE BUZZNESS
C/O MARK HOLTKAMP
4611 TIMBERLAND CT NE
SOLON, IA 52333
319-594-1062
MARKHOLTKAMP@YAHOO.COM
OWNER:

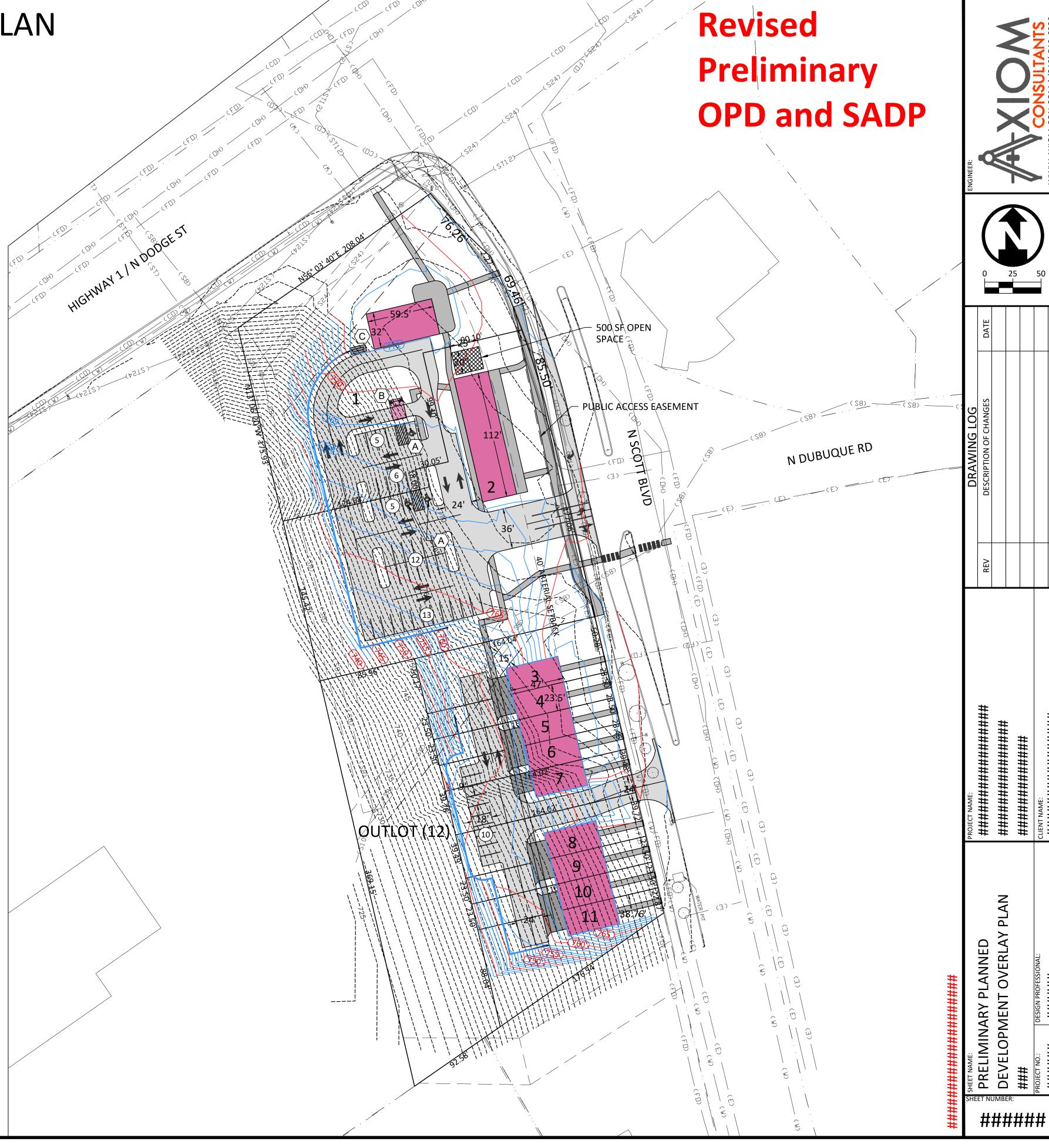
GREENSTATE CREDIT UNION C/O TIM RECK 2355 LANDON RD NORTH LIBERTY, IA 52317 319-899-3431 TIMRECK@GREENSTATE.ORG

PREPARED BY:

AXIOM CONSULTANTS, LLC
C/O BRIAN BOELK
60 E. COURT STREET, UNIT 3
IOWA CITY, IOWA 52240
319-519-6220
BBOELK@AXIOM-CON.COM

# **KEYNOTES:**

- (A) PROPOSED ADA PARKING STALL
- (B) GSCU KIOSK
- © SCOOTER'S ORDER BOARD

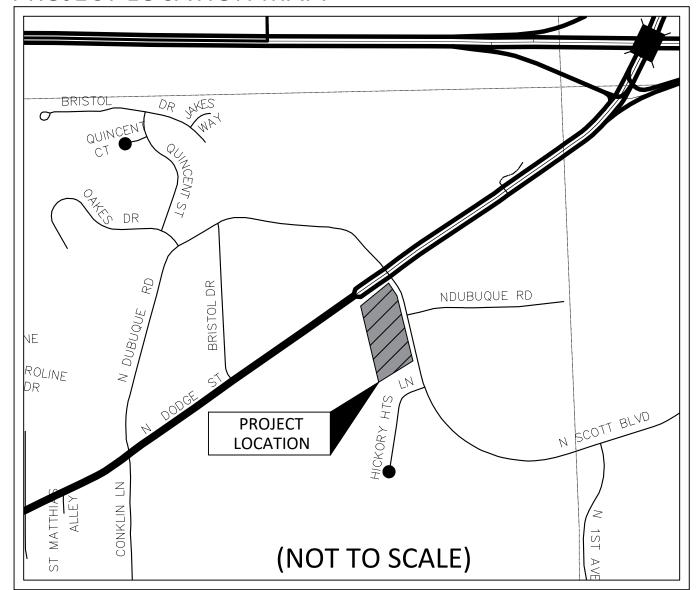




# PRELIMINARY SENSITIVE AREAS DEVELOPMENT PLAN

TIMBER VALLEY RUN IOWA CITY, IOWA

# PROJECT LOCATION MAP:



# APPLICANT INFORMATION:

# **APPLICANT:**

A LATTE BUZZNESS C/O MARK HOLTKAMP 4611 TIMBERLAND CT NE SOLON, IA 52333 319-594-1062 MARKHOLTKAMP@YAHOO.COM

# **OWNER:**

LEGEND:

GREENSTATE CREDIT UNION C/O TIM RECK 2355 LANDON RD NORTH LIBERTY, IA 52317 319-899-3431 TIMRECK@GREENSTATE.ORG

# PREPARED BY: AXIOM CONSULTANTS, LLC

C/O BRIAN BOELK 60 E. COURT STREET, UNIT 3 IOWA CITY, IOWA 52240 319-519-6220 BBOELK@AXIOM-CON.COM

# SITE **EXISTING** CONTOUR - INDEX CONTOUR - INTERMEDIATE — 101 — SENSITIVE AREAS AREA STEEP SLOPE (18-25%)

CRITICAL SLOPE (25-40%) IMPACTED CRITICAL SLOPE LIMITS OF CONSTRUCTION

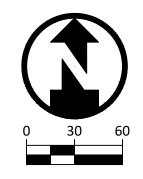
# NOTES:

1.	CRITICAL SLOPE CALCULATION	AREA (SF)	PERCENTAGE
	IMPACTED SLOPES	16,430	75%
	NON-IMPACTED SLOPES	5,622	25%
	CRITICAL SLOPES (PRIOR TO DEVELOPMENT)	22,052	100%

2	. STEEP SLOPE CALCULATION	AREA (SF)	PERCENTAGE
	IMPACTED SLOPES	47,983	68%
	NON-IMPACTED SLOPES	22,629	32%
	STEEP SLOPES (PRIOR TO DEVELOPMENT)	70,612	100%

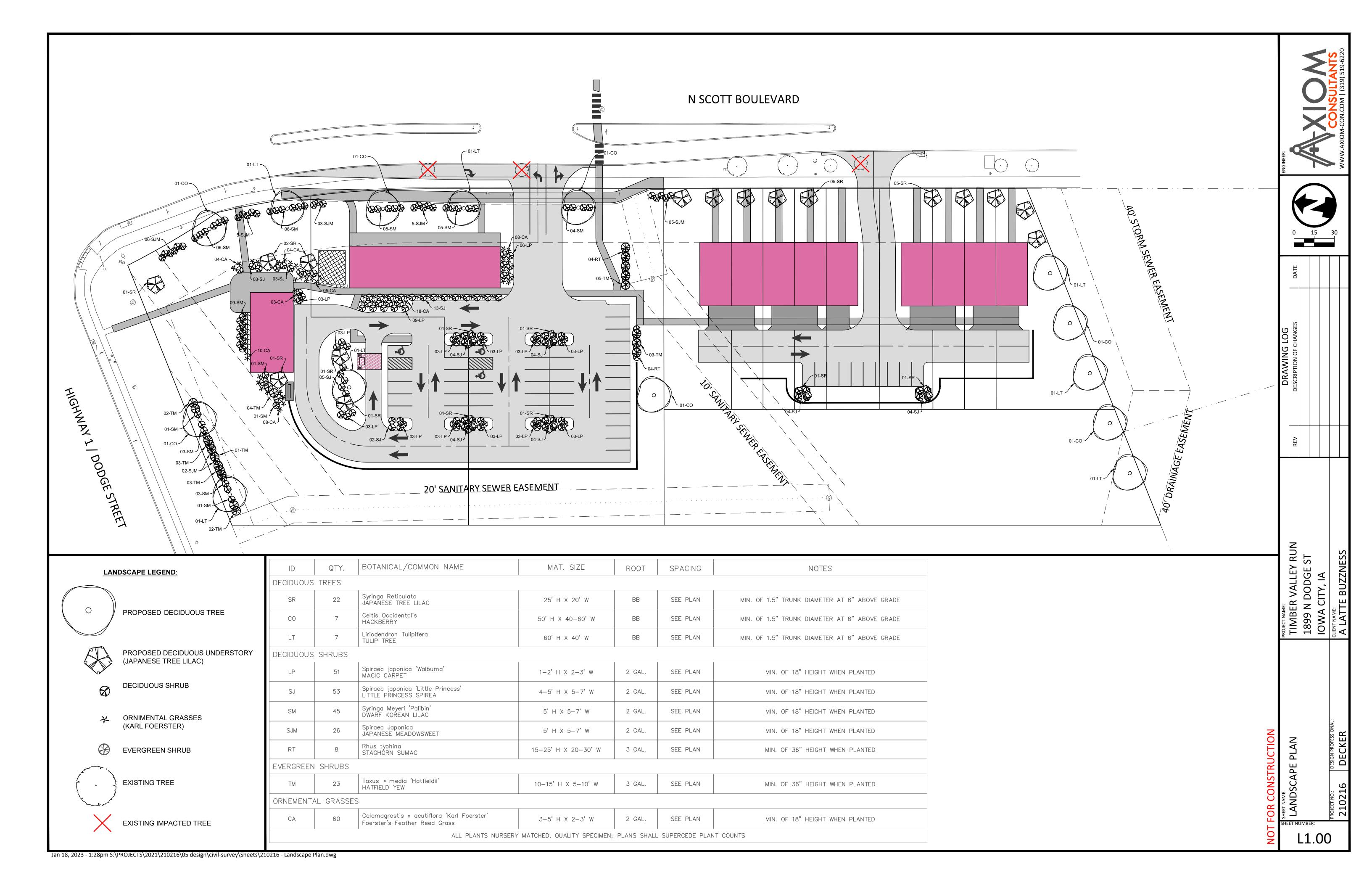
<sup>3.</sup> THERE ARE NO IMPACTS TO WOODLANDS AS DEFINED BY 14-9E-1 IN THE CITY CODE. BASED ON FULL SITE CLEARING IN 2006, THERE IS LESS THAN 2 ACRES OF DEFINED "WOODLANDS" AND "GROVE OF TREES" DUE TO CONTIGUOUS AREA AND SIZE OF TREE DIAMETERS.





	DATE		
DRAWING LOG	DESCRIPTION OF CHANGES		
	REV		

TIMBER VAL 1899 N DOD IOWA CITY, I



From: <u>markrenshaw@icloud.com</u> on behalf of <u>markrenshaw@me.com</u>

To: <u>PlanningZoningPublic</u>
Cc: <u>Anne Russett</u>

Subject: Case No. REZ22- 0016

**Date:** Wednesday, January 18, 2023 10:52:53 AM



\*\* This email originated outside of the City of Iowa City email system. Please take extra care opening any links or attachments. \*\*

To Whom it may concern:

I reiterate my original, unaddressed concerns voiced at the October 6, 2022 meeting: **Do not** approve this rezoning until the current traffic issues are addressed and improved at the intersection of North Dodge Street and North Scott Boulevard.

Please investigate and consider the implications of having multiple businesses with potential high-volume queuing conditions at this intersection -- directly across from lowa City Fire Station 4. My first-hand observation is the fire station driveway is *already* regularly blocked by traffic. This needs to be addressed before attracting additional traffic volume to the area.

Allowing the addition of a high-volume drive-through at a currently inadequately engineered intersection with a busy emergency response station seems like bad planning to this citizen.

Thank you for your attention.

Sincerely, Mark Renshaw 72 Hickory Heights Lane, Iowa City, IA 52245 
 From:
 Synan, William J

 To:
 Parker Walsh

 Subject:
 REZ22-001

**Date:** Tuesday, January 17, 2023 1:41:55 PM



# \*\* This email originated outside of the City of Iowa City email system. Please take extra care opening any links or attachments. \*\*

To Whom it may concern,

I would like to express some reservations regarding the proposed rezoning at the southern portion of the intersection of Scott Blvd and North Dodge.

I can understand having a commercial entity along North Dodge but I do not think a separate commercial building should be placed along Scott Blvd

adjacent to an existing single family residential community. I wonder if the owner, Green State Credit Union, has considered the possible impact

on the homeowners in that community who are holding home mortgages, perhaps from Green State Union.

I also do not think it is appropriate to have a drive through coffee establishment at that corner for two reasons. First, that area has had a

history of congestion during morning and early evening rush hour for years and second it would be right across from the Fire Station. There are

also two Coffee establishments already on Nort Dodge about 100 to 200 yards away on North Dodge – Press and Starbucks. Neither of these are located on a corner and across from a Fire station.

The only part of the proposal that seems to make sense is the placement of the 9 townhomes. That would blend well given the fact that there are

a grouping of similar townhomes on the north side of the corner at the intersection of North Dodge and Scott.

I would strongly urge the property owner to reconsider the sale of the property for such a proposal. Needless to say, I am not in favor of the proposal as it

stands now. Also, I would like to mention, I do not live in the Hickory Heights community or Oaknoll however I do travel that route on a daily basis.

Sincerely, William Synan 833 Cypress Ct. Iowa City Iowa PLANNING AND ZONING COMMISSION
JANUARY 18, 2023 – 6:00 PM – FORMAL MEETING
EMMA J. HARVAT HALL, CITY HALL

MEMBERS PRESENT: Susan Craig, Maggie Elliott, Mike Hensch, Maria Padron, Mark

Signs

MEMBERS ABSENT: Billie Townsend, Chad Wade

**STAFF PRESENT:** Sara Hektoen, Anne Russett, Parker Walsh

OTHERS PRESENT: Brian Boelk, Mark Holtkamp, Dan Hyer, Kevin Hanick

### **RECOMMENDATIONS TO COUNCIL:**

By a vote of 5-0 the Commission recommends approval of REZ22-0016, a proposal to rezone approximately 2.04 acres located south of the N Dodge St and N Scott Blvd. intersection from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Overlay Development (OPD/CC-2) and approximately 1.83 acres from CO-1 to Low-Density Multi-Family Residential Zone with a Planned Overlay Development (OPD/RM-12) subject to the following conditions:

- 1. Prior to the issuance of building permit, Owner shall:
  - a. Obtain approval of a landscape plan by the City Forester which includes the N. Dodge St and Scott Blvd public right-of-way. Any trees within the public right-of-way that are removed due to construction shall be replanted and located according to the approved landscape plan.
  - b. Dedicate a public access easement over any pedestrian facilities adjacent to the Scott Blvd public right-of-way that provide connectivity to public sidewalks.
- 2. Prior to issuance of a certificate of occupancy, Owner shall:
  - a. Install a right turn lane along Scott Blvd, subject to approval by the City Engineer.
  - b. Install a pedestrian crossing with a refuge island on the southside of Dubuque Rd and Scott Blvd, subject to approval by the City Engineer.
- 3. No vehicular access shall be allowed onto N. Dodge Street.

### **CALL TO ORDER:**

Hensch called the meeting to order at 6:00 PM.

### PUBLIC DISCUSSION OF ANY ITEM NOT ON THE AGENDA:

None.

### **CASE NO. REZ22-0016:**

Location: Southern corner of N. Dodge St. and N. Scott Blvd.

An application for a rezoning of approximately 2.04 acres of land from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Development Overlay (OPD/CC-2) and approximately 1.83 acres from CO-1 to Low Density Multi-Family Residential with a Planned Development Overlay (OPD/RM-12).

Planning and Zoning Commission January 18, 2023 Page 2 of 13

Walsh began the staff report with an aerial noting nearby properties are the fire station, Iowa City Community School District and some residential to the north and the south. For background he stated the property was rezoned from Research Development Park to Commercial Office zone in 2008 to accommodate a corporate office building and a bank. A conditional zoning agreement followed the rezoning with conditions related to substantial compliance with the approved concept plan, vehicular access points located as shown on the concept plan, landscaping requirements along North Dodge and elevations and building materials specifications. Walsh showed an image of the approved concept with the proposed building at the North Dodge and Scott intersection, with parking being the remainder of the lot. The current zoning would be able to provide for areas of office functions, compatible business, apartments and certain public and semipublic uses. Drive-throughs are limited to financial institutions, eating establishments require a special exception and retail services would not be allowed. The current conditions of the site are subject to the CZA and the approved concept plan as previously shown. The proposed zoning would be for 2.04 acres to Community Commercial with a Planned Development Overlay, which could provide for business districts to serve the community, a variety of retail services and this is typically located near large areas of traffic generation. Drive-throughs and multifamily residential would be allowed through a special exception and subject to specific approval criteria. Additionally, 1.83 acres are proposed to be rezoned to low density multifamily residential with the planned development overlay, which could provide more diverse housing options to the neighborhood, high density single family housing and low density multifamily housing. Walsh showed the preliminary planned development overlay plan which shows two commercial lots at the intersection, one being the proposed eating establishment, the mixed-use building, nine proposed detached single-family dwellings and then the pedestrian connection which connects the residential site to the commercial site as well as to Scott Boulevard and the proposed crossing from Scott Boulevard to Dubuque Street.

Walsh next discussed the planned development approval criteria and how the proposed development fits in with the policy vision of the City. Starting with density and design and how it's compatible with additional development, the maximum density allowed in the proposal zoning would be 15 dwelling units per acre and what is currently being proposed is 4.39 dwelling units per acre. The land uses proposed would concentrate commercial uses near the intersection and along arterials, being an eating establishment and a mixed use building with eight units and the ground floor restaurant as indicated by the applicant, and also the nine attached single family units for a total of 17 dwelling units and an outlot for stormwater retention. Regarding the mass scale, the general layout of the site again concentrates the commercial uses near the intersection of North Dodge and Scott and along arterial roads. The mixed use will be larger in scale, but not to exceed the 35-maximum height per City code. All development will be set back 40 feet along arterials and the parking areas will be screened to at least the S2 screening requirement and located behind the principal buildings. The attached single family will provide a transition from the single family to the south.

Regarding traffic circulation, Walsh noted there are two access points repurposed off Scott Boulevard and the uses will be separated and have separate access points. The traffic study considered proposed locations to be optimally located, spaced and sized and staff has recommended the following conditions. (1) Install the right turn lane along Scott Boulevard subject to approval by City engineer, (2) add a pedestrian crossing with refuge island on the south side of Dodge Street to Dubuque Road, and (3) dedicate a public access easement over any of the pedestrian facilities adjacent to Scott Boulevard public right-of-way that provide

Planning and Zoning Commission January 18, 2023 Page 3 of 13

connectivity to public sidewalks. City water and sewer are available on the subject property and the study found the development would function at an acceptable level of service B or C during peak hours. Staff is recommending the following condition, that the trees removed from the right-of-way shall be replaced as part of the approved landscape plan by the City Forester. Staff does not feel this development will adversely affect the use, property values or privacy of surrounding properties as the proposed development provides a transition of uses and the townhomes will act as a buffer from the single family to the south. The commercial uses to the north and east will be separated by North Dodge Street and Scott Boulevard from residential uses and the western property will be separated by remaining woodlands as well as the outlot so staff finds that this development will not impact neighboring residents any more than a conventional development. Walsh stated this development does not propose any waivers to the underlying zoning code, however since the application proposes commercial uses such as eating establishments to support residents and travelers, and it also proposes a mix of housing options, some special exceptions will be needed.

Moving onto the Comprehensive Plan, the Future Land Use Map does identify the subject property suitable for public and private open space but the Future Land Use Map is more intended as a general guide and the neighborhood design principles should be considered when interpreting the land use map as alternatives may apply. The subject property is also located in the Northeast District Plan but it's not included in the Northeast District Plan Future Land Use Map. Taking a closer look at neighborhood design principles Walsh started with compatible infill, which notes "infill plays an important role in neighborhood investment and infill development should add diversity of housing, avoid overburden infrastructure, and be compatible to existing neighborhoods". Another principle is diversity of housing, which encourages the mix of housing for more opportunities for singles, couples, families and elderly. Looking at affordable housing, although there is no income restricted affordable housing that applies to this subject property, a mix of housing types would allow for more moderately priced housing options in the neighborhood and affordable housing also encourages small scale multifamily on corner lots and along arterials, apartments located above commercial, townhomes mixed with single family and development of smaller lots to conserve land. For the principle of neighborhood commercial areas, they are intended to provide a focal point for neighborhoods such as restaurants and shopping centers, which are in convenient walking distance for residents. Stores are to be located close to the streets with rear parking and incorporating apartments above shops. The last principle is the pedestrian and bicycle connections which encourages pedestrian accessibility to important neighborhood destinations such as shopping centers, provide pleasant streetscape and building setbacks that ensure safety and are appealing. The Comprehensive Plan goals and strategies that also apply would be land use, housing, transportation, environmental, and these goals provide more detail and action based on the neighborhood design principles.

Finally, regarding sensitive areas, Walsh stated the preliminary sensitive areas development plan shows the impact to more than 35% of critical slopes, a 75% impact is being proposed to critical slopes so a Level II Sensitive Areas Review will be required by the Commission and City Council.

Additionally, the following revisions will need to be made to the preliminary OPD plan prior to site plan approval or building permits. As noted by Public Works attached single family lots three through seven are located too close to proximity to the sanitary sewer easement and

Planning and Zoning Commission January 18, 2023 Page 4 of 13

infrastructure and the applicant has been in touch with Public Works to address this. Additional comments include general landscaping and code requirements.

Staff received two pieces of correspondence related to this application. The concerns expressed are related to traffic, the fire station access and commercial uses.

Staff recommends approval of REZ22-0016, a proposal to rezone approximately 2.04 acres located south of the N Dodge St and N Scott Blvd. intersection from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Overlay Development (OPD/CC-2) and approximately 1.83 acres from CO-1 to Low-Density Multi-Family Residential Zone with a Planned Overlay Development (OPD/RM-12) subject to the following conditions:

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  - b. Dedicate a public access easement over any pedestrian facilities adjacent to the Scott Blvd public right-of-way that provide connectivity to public sidewalks.
- 2. Prior to issuance of a certificate of occupancy, Owner shall:
  - a. Install a right turn lane along Scott Blvd, subject to approval by the City Engineer.
  - b. Install a pedestrian crossing with a refuge island on the southside of Dubuque Rd and Scott Blvd, subject to approval by the City Engineer.
- 3. No vehicular access shall be allowed onto N. Dodge Street.

Following the recommendation of the Planning and Zoning Commission, the anticipated timeline would be on February 7 Council sets public hearing for February 21 and first consideration.

Hensch noted under the existing zoning CO-1 it seems when comparing and contrasting the CO-1 with what the requested zoning there are a lot of similarities, they could have apartments with both zonings, they could have restaurants by special exception on the CO-1 and drive-through banking, but with this zoning they could have a drive-through restaurant. He asked what the allowable height in a CO-1 zone is compared to this requested zoning. Parker replied that would be 35 feet in a commercial zone but there's opportunities to increase that.

Hensch also noted with this application the density is actually less than the current zoning and is that correct for dwelling units per inch. Parker confirmed that was correct.

Hensch questioned that on one side of the applicant area the zoning requires the landscaping to be at least S2, why not just say S3 on all the sides or is just the S3 for the Dodge Street side. Parker explained the S3 requirement is a code requirement under commercial site development standards for when across the street from residential properties the parking areas must be screened to the S3. So since there's residential existing across North Dodge Street, that parking area must be screened to at least S3 and that property abutting North Dodge Street would be S3 but the property of abutting Scott Boulevard would be S2 according to code.

Hensch asked if they moved the townhouses back to comply with the distance from the easement it that possible because of the landscape or topography changes going back into that outlot. Parker noted the applicant has been in contact with public works and will be able to touch

Planning and Zoning Commission January 18, 2023 Page 5 of 13

on that subject.

Signs asked what the level two sensitive areas review would entail. Parker explained that would be review by the Planning and Zoning Commission as well as City Council opposed to just administrative review. Russett added that the level two sensitive areas review is what triggers the plan development overlay rezoning.

Hensch asked if in these sensitive areas they're just talking about critical slopes and no wetlands. Parker confirmed that was correct.

Padron asked if they have any feedback from the fire department about this application. Parker confirmed the fire department indicated that there is no issue leaving the site and they had no concerns. They also have their own system to control the streetlights as necessary.

Elliott noted the report from Anderson Boggart mentioned several sidewalk and pedestrian crossings that are not aligned and will be confusing and they also mentioned ADA issues, have those been resolved. Russett replied the traffic impact study was probably one of the first plans that they had seen and there were lots of issues that staff had with the pedestrian connections on site so they've done some back and forth with the applicant to ensure that there's connections between the site to public sidewalks and to the buildings, and they've addressed most of those concerns. She noted there will probably have to be some more tweaks prior to permitting. Regarding the ADA issue with the parking, they are providing pedestrian connections from those accessible parking spaces to the buildings.

Craig had a question about traffic which seems to be one issue that people have and it seems like the first driveway is pretty much right across from North Dubuque Road, almost like an extension of North Dubuque Road, it's not obviously but that driveway is aligned with North Dubuque Road. The complication there is that there's that left turn lane onto North Dubuque Road that is for those going to ACT so is there going to be pedestrian access across there. Parker stated the only pedestrian access that the City is recommending at this time is the one which would provide the refuge island in the middle just down from North Dubuque Road.

Padron also noted about that left turning lane that goes into ACT and wondered if that could be an issue and perhaps the City can make it so then people don't have to turn as the only option. Russett noted what staff is recommending is a right turn lane into the commercial property and traffic and transportation staff didn't have any issues with the second driveway at the at the townhouse section.

Hensch opened the public hearing.

Brian Boelk (Axiom Consultants) is representing the applicant as engineer and Mark Holtkamp is here as well as the developer and applicant to answer any questions. Boelk commended staff on their report, it was pretty thorough and relayed everything they've been working on. To highlight a few things, Boelk noted they feel it's certainly a really good infill project and an area that's been difficult to develop. They feel this is a really good fit for it based on use and sizes of buildings and everything else within those sensitive areas. It provides a really good transition as well on a highly visible corner. He noted traffic concerns have been continued to be discussed, there was a full traffic study report done and completed and approved by City engineering staff,

Planning and Zoning Commission January 18, 2023 Page 6 of 13

Public Works and traffic staff. They adhered to all their requests in terms of the two different access points off on North Scott as well as the turning lane. Boelk noted they did talk to fire as well and they mentioned they have their own control for that signal so they didn't have any concerns with any possible additional traffic at the intersection.

Hensch asked from their current concept, what are the building heights for the townhomes that are to the east. Boelk replied the townhomes will be two stories so 20-25 ft in height.

Hensch asked also regarding the townhomes, the need for the setbacks for the encroachment on the easement, they are going to move those back. Boelk confirmed they have resolved that and have a revised plan that shows they are the required distance away from the sanitary sewer. They are actually creating a new easement that's wider than what is there now to better fit that sanitary sewer depth. They've worked through that with engineering and wastewater and public works and it still adheres to the arterial 40 foot setback.

Craig noted there are traffic concerns, but they would be a lot more if you are entering and exiting off of Dodge.

Signs asked if there is going to be a drive-through ATM kiosk as part of this. Boelk confirmed there will be a drive-through for the coffee shop on the north building and then a drive-through kiosk for an ATM for Green State Credit Union.

Signs asked what is in the mixed-use building on the north end. Boelk noted that's actually a little hatchery showing the public open green space requirement. Signs asked if that building is going to be a commercial, will it be one story or two stories. Boelk stated the intent is commercial first floor and residential above because the intent right now is to have multiple housing types, apartments and townhomes on that site.

<u>Dan Hyer</u> (41 Hickory Heights Lane) is here tonight with some of his neighbors and has spoken with several other neighbors and thinks they'll agree with everything that he is going to state today. The first issue is really to do with traffic, he's read the commission's report and they don't anticipate additional heavy traffic, but he thinks a practical understanding of this area deems a different conclusion. The exact spot where the developers proposed to put the entrance to the strip mall is where the road really goes from two lanes to one and as one of the commissioners already stated, that is a quite dangerous area as it stands today, because there's merging happening. So, with the addition of the additional turn lane they will have merging happening from both directions and he thinks that poses a real risk due to the funneling of cars right at that area at the intersection. He has personally seen near accidents at that point and is sure everybody that's traveled in that remote area has seen accidents at that point as well. The other part is that the traffic coming south on Dodge Street backs up at rush hour almost all the way to the Travelodge because if someone does want to turn on the right lane, everybody backs way up at rush hour and then there are cars that go in the left lane to zoom around folks. That's an area that he thinks they're going to see a huge increase in the amount of traffic. He doesn't believe the plans proposal of a right turn lane adequately solves this issue. The Commission's requirement that the development only enter from Scott Boulevard is also an issue and forcing cars to enter and exit the development from Scott is forcing cars onto Scott that do not need to be there. This results in a total of seven intersections within about a quarter mile strip on this part of Scott Boulevard, they have the Dodge/Scott corner intersection, the entrance and exit to the

Planning and Zoning Commission January 18, 2023 Page 7 of 13

proposed commercial development, the two to one lane merge, the fire department exit, the entrance to ACT or North Dubuque Road, and the entrance and exit to the townhomes as well as the entrance and exit to Hickory Heights Lane. That is a huge amount of intersections and curb cuts in a very short span of road that is near a very, very busy intersection. Hyer's second issue is really with the development itself and looking at the history it appears that the reason this was rezoned to commercial in the first place was because it was supposed to be a quiet bank branch. This obviously never happened and now they're stuck with the outcome of this first rezoning change. However, the commercial zoning isn't good enough for the developer, they want to add multi story commercial and apartment buildings and they want to add two rows of townhouses. On top of that, they want to fill in this lot that looks over the ravine which is a huge fall off in this area. To overcome these challenges, they're going to put in a retaining wall and in turn what could be a thoughtfully designed entrance into Iowa City will end up looking like it belongs on the Coralville strip. This is one of the main entrances to lowa City coming in from the north and is wildly out of character with what is seen on Scott Boulevard. There are townhomes on the other side of Dodge Street, but half as many and they're set off of the road and they blend into the woods. In contrast, there's really no way to blend this development into the natural surroundings. In closing Hyer noted he believes Scott Boulevard is a quite unique road in Iowa City with everything set far back off the streets, there are wide sidewalks, there's vegetation on both sides of the road and there's very few developments in this area but the ones that do exist all are far setback off of the road. The development proposed here does not really fall within that same setting as the other developments and would be out of place and he hopes the commission takes these concerns.

Kevin Hanick (88 Hickory Heights Lane) first wanted to note in a matter of full disclosure he has worked with the engineering company before, Brian Boelk is a friend and Hanick was the developer of Oaknoll East further down Scott Boulevard. He noted they had to go through quite a rezoning process for that project and even further back when they developed Hickory Heights Lane, they had to go through the same kind of thing. He noted if they pull up the plat for Hickory Heights Lane and see all the lots there they'll notice a dotted line around all those lots and that dotted line indicated that they couldn't go beyond there with any kind of development, no foundation, no buildings, no planters, or that kind of thing because there were sensitive and steep slopes. He wasn't sure if they were technically protected slopes or if they were just noted as part of the development. One of his main concerns is that 2/3 or 3/4 of this whole development is in protected slopes or steep slopes and he can't imagine the amount of fill and the height of retaining walls that are going to be required to pull this off. He is also bothered by the traffic, he goes through those two lanes every day and now they are going to have three lanes and people often get in the wrong lane because they're not going to ACT and then they have to cut over or other times, it's very intentional and they want to put the gas on and get ahead of the traffic there, and he has seen accidents, fender benders are not uncommon there. If they are going to have three lanes, he's trying to picture the person who got in the wrong lane cutting over while two more lanes of traffic and he sees it as a danger. It also bothers him that the access to the whether it's a coffee shop or a fast-food restaurant or whatever, is going to be on the corner and there is no dedicated lane to get to that drive-through. One has to go through parking lanes and a parking lot, and who's in a parking lot, pedestrians coming and going all the time. Where they come in to get to that lane they can't go straight in, they have to turn and go down a lane in order to circle around. Then add to that the people who might be going to the ATM. There is not a dedicated lane, so folks will be weaving their way through a parking lot which he thinks is ridiculous. Hanick also thinks that the plan itself has a lot of uncertainty to it,

he doesn't recall ever hearing a clear answer whether that second building, the mixed-use building, is going to be two stories of apartments or one story above the commercial. That's worth noting one way or the other. Also, there's no guarantee on who's going to live there and no guarantee on density like how many people can live in the townhouse. Therefore they don't really have a very clear calculation of how many people are going to be there. They also have said they've talked with the emergency people up there and they don't have any concerns, but Hanick has seen problems with the fire trucks getting out there, sometimes they do have to wait, as somebody pointed out at rush hour those lanes fill up and can be backed up for a long ways both ways. It just doesn't seem to fit. He was very surprised and disappointed that the staff was supporting this with all the problems that he thinks are there and would hope that the Commission would take a good look at some of these concerns. He also wants them to question the protected slopes and if they can go in and fill and build retaining walls and get rid of them. He doesn't understand that.

Hensch closed the public hearing.

Signs moved to recommend approval of REZ22-0016, a proposal to rezone approximately 2.04 acres located south of the N Dodge St and N Scott Blvd. intersection from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Overlay Development (OPD/CC-2) and approximately 1.83 acres from CO-1 to Low-Density Multi-Family Residential Zone with a Planned Overlay Development (OPD/RM-12) subject to the following conditions:

- 1. Prior to the issuance of building permit, Owner shall:
  - a. Obtain approval of a landscape plan by the City Forester which includes the N. Dodge St and Scott Blvd public right-of-way. Any trees within the public right-of-way that are removed due to construction shall be replanted and located according to the approved landscape plan.
  - Dedicate a public access easement over any pedestrian facilities adjacent to the Scott Blvd public right-of-way that provide connectivity to public sidewalks.
- 2. Prior to issuance of a certificate of occupancy, Owner shall:
  - a. Install a right turn lane along Scott Blvd, subject to approval by the City Engineer.
  - b. Install a pedestrian crossing with a refuge island on the southside of Dubuque Rd and Scott Blvd, subject to approval by the City Engineer.
- 3. No vehicular access shall be allowed onto N. Dodge Street.

# Craig seconded the motion.

Padron would like to hear about the protected slopes, her initial thought is that she would like to support this development but is still concerned about the traffic. Would it be prudent to ask for a second traffic study with the more current plans.

Hektoen asked staff to speak to the Code allowances with regard to slopes. Russett noted that there are no protected slopes on this property. There are steep slopes and critical slopes, both of which can be impacted. A steep slope is less than 25% grade, critical slope is the next one up and is between 25% and 40% and protected slopes are anything beyond 40% grade. Protected slopes cannot be impacted, but again there are no protected slopes on this site.

Planning and Zoning Commission January 18, 2023 Page 9 of 13

Hench noted the City engineer has reviewed all this for traffic, did they do traffic study or did the City engineer just give an analysis for this applicant. Russett noted it was reviewed by staff and staff concurred with the traffic study.

Signs asked again about the percentage of the slopes that were being impacted, and that critical slopes cannot be impacted more than 35% correct. Russett confirmed that was correct without a level II review.

Signs noted he is struggling with this one, he likes the general nature of the development, the mix of it, and the effort to buffer with some residential between the residential areas. He is super concerned about the traffic and kind of blown away that traffic wasn't concerning. Having driven through there a lot he is a little concerned about heading left on Scott and there not being a left turn lane on northbound Scott going into that development because it is right where it goes from one to two lanes. He also was intrigued by one of the residents' comments about why there isn't any right turn off of Dodge as that would seem like that would potentially alleviate a lot of the stress on that corner if they could get into the development from Dodge. He was a little surprised by the slope percentage because he can't recall a time when they've seen anything that impacted 75%. Hensch believes the addition at Lincoln School had to have been that high because of that hill but Signs noted that was a situation where they had an existing structure that needed to expand for community need He also had noticed the issue with the drive-through piece coming off of Scott into the parking lot, then having to jog through the parking lot to get to the drive-through lane and that does seem like a bit of a cluster and a safety issue for anyone who's parking there and potentially walking over to the to the commercial space or the residential space. He is also a little concerned about the potential of three stories of that commercial building, character-wise there just isn't anything quite like that along Scott Boulevard or even along North Dodge.

Elliott stated she likes the infill and putting mixed housing on the lot that's there, that's already got the sanitary sewer in the street. She hears the concerns about the traffic and is uncertain about that. She does like the idea of different income levels being able to live in the area and it just seems like a good corner to have a coffee shop.

Padron agrees with that and also that if they want people to use less cars they need to put more businesses in neighborhoods, so she is very supportive of that.

Hensch is supportive of this for a couple of reasons. He thinks it's a good transition to the neighborhood to the east, the taller buildings will be on the corner right where they should be, then there is a little bit lower height for the townhomes before going to the single family residential to the east. He's been on this Commission for eight years now and they've received several comments through the years of people very unhappy about the Hickory Hill subdivision and how it shouldn't even be there. It's always interesting how people that are someplace then don't want somebody else to come next to them. He does find it interesting that under the CO-1 zoning, pretty much a lot of this development could have happened anyway, apartments, restaurants by special exception, a drive-through for banking, so this zoning actually has less density. The main reason he wants to support this and why he's pretty supportive of anything with housing, is there is a real problem with affordable housing in lowa City and one of the solutions is increasing the number of housing units available and a mix of housing types for people to be able to rent and own. If they keep not allowing housing to be built, then it seems

disingenuous to complain about affordable housing on a multifaceted problem. Certainly more volume, more housing is not the only solution, but is part of the solution so he is in favor of this. He also understands the slopes can be a little confounding for people but that's why lowa City has the ordinance they do and to make sure developers are in compliance with those ordinances. This Commission's job is to evaluate does this follow the Comprehensive Plan, does this follow the current house zoning ordinances and he believes it does. As a former state trooper and a volunteer firefighter, he can say that every time you put people in cars together there's always going to be problems. There's no such thing as making things particularly safe because human nature is what it is, and people will always be in a hurry. They'll always be trying to cut people off, and there will always be accidents, so if the traffic engineers say this meets their criteria, then that is good enough. As far as the fire station, there's always problems getting out onto the roads, he's seen the fire trucks sitting in the apron of the downtown fire station waiting for the traffic clear for them to get out, so there isn't a solution for that. Anyway, he hears what everybody's saying and has empathy for some of it, but their job is does this comply with Comprehensive Plan, does this meet current zoning ordinance requirements, and in general is it good for the city of Iowa City, and he says yes for all three of those.

Signs followed up on the comment about affordable housing, if they really want to go down that path then they need to as a community, as a council, as a commission, to really look at what indicates affordability, there's nothing that will guarantee that the residential units built on this property are going to be affordable. That term gets thrown around so much. Housing diversity can theoretically mean affordable, also folks vacating a lesser price home and purchasing a newer bigger home are contributing to affordability. But if as a community they want to really talk about affordable housing then they need to get serious about it and start mandating that, for example, the units on top of the of the commercial property there be affordable as to meet the criteria of true affordability. Signs is going to support this, he will say I told you so when the traffic problems develop down the road but will support this because it sounds like everyone else is willing to do that, but he has a lot of concerns about it.

Hensch doesn't want anybody to misconstrue, he never said the word affordability, if they want to solve the affordability housing crisis, this is one piece of it, he didn't imply that these are affordable, it's strictly a volume issue.

Craig is supportive as well and the key reason is the infill to an empty lot that's sitting there not providing housing for anybody or opportunity. Right now it's not doing much for anybody and she likes to see infill. She also thinks it's way better to have that traffic there on Scott than on Dodge, and it's a thoughtful layout, moving down into the residential.

A vote was taken and the motion passed 5-0.

### **CONSIDERATION OF MEETING MINUTES: JANUARY 4, 2023:**

Craig moved to approve the meeting minutes from January 4, 2023. Padron seconded the motion, a vote was taken and the motion passed 5-0.

Ordinance No.	Ordinance	No.
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Ordinance conditionally rezoning approximately 3.87 acres of property located south of the N. Dodge St. and N. Scott Blvd. intersection from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Development Overlay (OPD/CC-2) for approximately 2.04 acres and to Low Density Multi Family Residential with a Planned Development Overlay (OPD/RM-12) for approximately 1.83 acres (REZ22-0016).

Whereas, the owner, GreenState Credit Union, and applicant, A Latte Buzzness, have requested a rezoning of approximately 3.87 acres of property located south of the N. Dodge St and N. Scott Blvd. intersection from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Development Overlay (OPD/CC-2) for approximately 2.04 acres and to Low Density Multi Family Residential with a Planned Development Overlay (OPD/RM-12) for approximately 1.83 acres; and

Whereas, the Comprehensive Plan establishes goals for preserving and enhancing entryways to the City, encourages neighborhood compatible and complimentary infill development, encourages a diversity of housing types in neighborhoods to provide options for households of all types and people of all incomes, and further encourages pedestrian oriented neighborhood commercial areas that incorporate apartments above shops and parking located behind principal buildings to create a pleasant streetscape; and

Whereas, the rezoning creates a public need to maintain safe pedestrian and vehicular travel through the creation of a public access easement over pedestrian connections located on private property adjacent to the Scott Blvd right-of-way, the installation of a pedestrian crossing across Scott Blvd. to provide the safe street network envisioned in the Comprehensive Plan, the installation of a right turn lane along Scott Blvd. to access the subject property, a need to maintain safe pedestrian and vehicular travel along N. Dodge St by not allowing vehicular access off N. Dodge St; and

Whereas, the rezoning also creates a need to enhance a City entryway due to the proposed removal of existing trees within the Scott Blvd. right-of-way through the approval of a landscape plan by the City Forester; and

Whereas, the rezoning results in a zoning boundary dividing a lot and the intent of 14-1B-4C is that no lot shall be divided by a zone boundary; therefore, the rezoning will require a subdivision of the subject property to conform to the zoning boundaries established by the zoning ordinance prior to issuance of a building permit; and

Whereas, the Planning and Zoning Commission has determined that, with appropriate conditions regarding the need for a public access easement over pedestrian connections adjacent to the Scott Blvd public right-of-way that provide connectivity to public sidewalks, installation of a pedestrian crossing with a refuge island on the southside of Dubuque Rd and Scott Blvd. subject to approval by the City Engineer, installation of a right turn lane along Scott Blvd. subject to approval by the City Engineer, and no vehicular access along N. Dodge St., and approval of a landscaping plan by the City Forester to ensure a pleasant streetscape; and

Whereas, Iowa Code §414.5 (2023) provides that the City of Iowa City may impose reasonable conditions on granting a rezoning request, over and above existing regulations, in

Ordinance No	
Page 2	
order to satisfy public needs caused by the requested change; ar	nd

Whereas, the owner, GreenState Credit Union, and the applicant, A Latte Buzzness, have agreed that the property shall be developed in accordance with the terms and conditions of the Conditional Zoning Agreement attached hereto to ensure appropriate development in this area of the city.

Now, therefore, be it ordained by the City Council of the City of Iowa City, Iowa:

<u>Section I Approval.</u> Subject to the Conditional Zoning Agreement attached hereto and incorporated herein, property described below is hereby classified Community Commercial Zone with a Planned Development Overlay (OPD/CC-2):

BEGINNING AT THE NORTHEAST CORNER OF THE PRESS-CITIZEN ADDITION LOT 2 PARCEL, THENCE ALONG THE EAST LINE OF SAID PARCEL 76.26 FEET ALONG A 573.00 RADIUS CONCAVE NORTHEASTERLY (CHORD BEARING S43°40'46"E, 76.20 FEET); THENCE S33°41'27"E, 2.27 FEET; THENCE 154.96 FEET ALONG A 690.00 RADIUS CONCAVE WESTERLY (CHORD BEARING S21°33'48"E, 110.91 FEET); THENCE S13°06'19"E, 177.06 FEET; THENCE S76°49'58"W, 250.00 FEET; THENCE N13°06'20"W, 321.35 FEET; THENCE N55°03'40"E, 208.04 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS 2.04 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

And, subject to the Conditional Zoning Agreement attached hereto and incorporated herein, the property described below is hereby classified to OPD/RM-12:

BEGINNING AT THE NORTHEAST CORNER OF THE PRESS-CITIZEN ADDITION LOT 2 PARCEL, THENCE ALONG THE EAST LINE OF SAID PARCEL 76.26 FEET ALONG A 573.00 RADIUS CONCAVE NORTHEASTERLY (CHORD BEARING S43°40'46"E, 76.20 FEET); THENCE S33°41'27"E, 2.27 FEET; THENCE 154.96 FEET ALONG A 690.00 RADIUS CONCAVE WESTERLY (CHORD BEARING S21°33'48"E, 110.91 FEET); THENCE S13°06'19"E, 446.86 FEET; THENCE S55°10'06"W, 269.12 FEET; THENCE N13°06'20"W, 369.15 FEET; THENCE N76°49'58"E, 250.00 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS 1.83 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

<u>Section II. Zoning Map.</u> The building official is hereby authorized and directed to change the zoning map of the City of lowa City, lowa, to conform to this amendment upon the final passage, approval and publication of the ordinance as approved by law.

<u>Section III. Conditional Zoning Agreement.</u> The mayor is hereby authorized and directed to sign, and the City Clerk attest, the Conditional Zoning Agreement between the property owner(s) and the City, following passage and approval of this Ordinance.

<u>Section IV. Certification and Recording.</u> Upon passage and approval of the Ordinance, the City Clerk is hereby authorized and directed to certify a copy of this ordinance and any agreements or other documentation authorized and required by the Conditional Zoning Agreement, and record the same in the Office of the County Recorder, Johnson County, Iowa, at the Owner's expense, upon the final passage, approval and publication of this ordinance, as provided by law.

Ordinance No Page 3				
Section V. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.				
<u>Section VI. Severability.</u> If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.				
<u>Section VII. Effective Date</u> . This Ordinance shall be in effect after its final passage, approval and publication in accordance with lowa Code Chapter 380.				
Passed and approved this day of, 2023.				
Mayor				
Attest: City Clerk				
Approved by				
City Attorney's Office (Sara Hektoen – 02/15/2023)				

Ordinance I	No	<u></u>		
Page				
			*	
It was move	ed by		and seconded by	
			pon roll call there were:	
Ayes:	Nays:	Absent	Abstain	
,,,==:	7.5.		Alter	
		<del></del>	Bergus	
			Dunn	
			Harmsen Taylor	
			Taylor Teague	
			Thomas	
First Consid	deration:2/	21/2023		
			Bergus, Dunn, Harmsen, Taylor, Thomas.	
C	:-			
Second Consideration:				
Vo	te for passage			
Date publis	shed			

# **Conditional Zoning Agreement**

This agreement is made among the City of Iowa City, Iowa, a municipal corporation (hereinafter "City"), GreenState Credit Union (hereinafter referred to as "Owner"), and A Latte Buzzness (hereinafter referred to as "Applicant").

Whereas, Owner is the legal title holder of approximately 3.87 acres of property located south of the N. Dodge St and N. Scott Blvd. intersection., legally described below; and

Whereas, the Applicant has requested the rezoning of said property legally described below from Commercial Office Zone (CO-1) to Community Commercial Zone with a Planned Development Overlay (OPD/CC-2) and to Low Density Multi Family Residential with a Planned Development Overlay (OPD/RM-12); and

Whereas, the Comprehensive Plan indicates that the subject area is appropriate for public/private open space and that the Future Land Use Map shall be used as a general guide for development of land within lowa City in addition to District Plans and neighborhood design principals; and

Whereas, the neighborhood design principles of the Comprehensive Plan encourage neighborhood compatible and complimentary infill development, a diversity of housing types in neighborhoods to provide options for households of all types and people of all incomes, and pedestrian oriented neighborhood commercial areas that incorporate apartments above shops and parking located behind principal buildings to create a pleasant streetscape; and

Whereas, the rezoning creates a public need to maintain safe pedestrian and vehicular travel through the creation of a public access easement over pedestrian connections located on private property adjacent to the Scott Blvd right-of-way, the installation of a pedestrian crossing across Scott Blvd. to provide the safe street network envisioned in the Comprehensive Plan, the installation of a right turn lane along Scott Blvd. to access the subject property, a need to maintain safe pedestrian and vehicular travel along N. Dodge St by not allowing vehicular access off N. Dodge St; and

Whereas, the rezoning also creates a need to enhance a City entryway due to the proposed removal of existing trees within the Scott Blvd. right-of-way through the approval of a landscape plan by the City Forester; and

Whereas, the rezoning results in a zoning boundary dividing a lot and the intent of 14-1B-4C is that no lot shall be divided by a zone boundary; therefore, the rezoning will require a subdivision of the subject property to conform to the zoning boundaries established by the zoning ordinance prior to issuance of a building permit; and

Whereas, the Planning and Zoning Commission has determined that, with appropriate conditions regarding the need for a public access easement over pedestrian connections adjacent to the Scott Blvd public right-of-way that provide connectivity to public sidewalks, installation of a pedestrian crossing with a refuge island on the southside of Dubuque Rd and Scott Blvd. subject to approval by the City Engineer, installation of a right turn lane along Scott Blvd. subject to approval by the City Engineer, and no vehicular access along N. Dodge St., and approval of a landscaping plan by the City Forester to ensure a pleasant streetscape; and

Whereas, Iowa Code §414.5 (2023) provides that the City of Iowa City may impose reasonable conditions on granting a rezoning request, over and above existing regulations, in order to satisfy public needs caused by the requested change; and

Whereas, the Owner and Applicant agree to develop this property in accordance with the terms and conditions of this Conditional Zoning Agreement.

Now, therefore, in consideration of the mutual promises contained herein, the parties agree as follows:

1. GreenState Credit Union is the legal title holder of the property legally described as:

BEGINNING AT THE NORTHEAST CORNER OF THE PRESS-CITIZEN ADDITION LOT 2 PARCEL, THENCE ALONG THE EAST LINE OF SAID PARCEL 76.26 FEET ALONG A 573.00 RADIUS CONCAVE NORTHEASTERLY (CHORD BEARING S43°40'46"E, 76.20 FEET); THENCE S33°41'27"E, 2.27 FEET; THENCE 154.96 FEET ALONG A 690.00 RADIUS CONCAVE WESTERLY (CHORD BEARING S21°33'48"E, 110.91 FEET); THENCE S13°06'19"E, 177.06 FEET; THENCE S76°49'58"W, 250.00 FEET; THENCE N13°06'20"W, 321.35 FEET; THENCE N55°03'40"E, 208.04 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS 2.04 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

### AND

BEGINNING AT THE NORTHEAST CORNER OF THE PRESS-CITIZEN ADDITION LOT 2 PARCEL, THENCE ALONG THE EAST LINE OF SAID PARCEL 76.26 FEET ALONG A 573.00 RADIUS CONCAVE NORTHEASTERLY (CHORD BEARING S43°40'46"E, 76.20 FEET); THENCE S33°41'27"E, 2.27 FEET; THENCE 154.96 FEET ALONG A 690.00 RADIUS CONCAVE WESTERLY (CHORD BEARING S21°33'48"E, 110.91 FEET); THENCE S13°06'19"E, 446.86 FEET; THENCE S55°10'06"W, 269.12 FEET; THENCE N13°06'20"W, 369.15 FEET; THENCE N76°49'58"E, 250.00 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS 1.83 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

- 2. Owner and Applicant acknowledge that the City wishes to ensure conformance to the principles of the Comprehensive Plan. Further, the parties acknowledge that Iowa Code §414.5 (2023) provides that the City of Iowa City may impose reasonable conditions on granting a rezoning request, over and above the existing regulations, in order to satisfy public needs caused by the requested change.
- 3. In consideration of the City's rezoning the subject property, Owner and Applicant agree that development of the subject property will conform to all requirements of the Zoning Code, as well as the following conditions:
  - a. Prior to the issuance of building permit, Owner shall:
    - i. Obtain approval of a landscape plan by the City Forester which includes the N. Dodge St and Scott Blvd public right-of-way. Any trees within the public right-of-way that are removed due to construction shall be replanted

and located according to the approved landscape plan.

- Dedicate a public access easement over any pedestrian facilities adjacent to the Scott Blvd public right-of-way that provide connectivity to public sidewalks.
- b. Prior to issuance of a certificate of occupancy, Owner shall:
  - i. Install a right turn lane along Scott Blvd, subject to approval by the City Engineer.
  - ii. Install a pedestrian crossing with a refuge island on the southside of Dubuque Rd and Scott Blvd, subject to approval by the City Engineer.
- c. No vehicular access shall be allowed onto N. Dodge Street.
- 4. The conditions contained herein are reasonable conditions to impose on the land under lowa Code §414.5 (2023), and that said conditions satisfy public needs that are caused by the requested zoning change.
- 5. This Conditional Zoning Agreement shall be deemed to be a covenant running with the land and with title to the land, and shall remain in full force and effect as a covenant with title to the land, unless or until released of record by the City of Iowa City. The parties further acknowledge that this agreement shall inure to the benefit of and bind all successors, representatives, and assigns of the parties. In the event the subject property is transferred, sold, redeveloped, or subdivided, all development will conform with the terms of this Conditional Zoning Agreement.
- 6. Nothing in this Conditional Zoning Agreement shall be construed to relieve the Owner from complying with all other applicable local, state, and federal regulations.
- 7. This Conditional Zoning Agreement shall be incorporated by reference into the ordinance rezoning the subject property, and that upon adoption and publication of the ordinance, this agreement shall be recorded in the Johnson County Recorder's Office at the Applicant's expense.

Dated this day of	, 2023.
City of Iowa City	GreenState Credit Union
Bruce Teague, Mayor	By:
Attest:	
	A Latte Buzzness
Kellie Fruehling, City Clerk	//
Approved by:	man
	Bý:
0.7 40	
City Attorney's Office	· Control of the cont

City of Iowa City Acknowledgement:	
State of Iowa )	
Johnson County ) ss:	
This instrument was acknowledged before me on, 2023 by Bruce Teague and Kellie Fruehling as Mayor and City Clerk, respectively, of the City of Iowa City.	
	Notary Public in and for the State of Iowa
	(Stamp or Seal)
GreenState Credit Union Acknowledgement:	
State of <u>Tow</u> t County of <u>To</u> HNSoN	
This record was acknowledged before me of KATHY (name) as	(Stamp or Seal)  My commission expires: 8 28 2024
A Latte Buzzness Acknowledgment:	
State of <u>ToWA</u> County of <u>ToHNSON</u>	
This record was acknowledged before me on FEBRUARY 21, 2023 by  MARK (name) as OWNER (title) of A Latte Buzzness  HOLT KAMP  ADRIANNE M. BRICKER Commission Number 721625 MY COMMISSION EXPIRES  My commission expires: 6/26/2024	



# COUNCIL ACTION REPORT

### March 7, 2023

Resolution authorizing conveyance of a single-family home located at 2021 Taylor Drive.

Prepared By: Erika Kubly, Neighborhood Services Coordinator

Reviewed By: Tracy Hightshoe, Neighborhood and Development Services

Director

Geoff Fruin, City Manager

Fiscal Impact: City funds were budgeted at \$35,000 for rehabilitation

expenses, and up to \$25,000 in federal HOME funds will be used for buyer down payment assistance. There will be no impact on the general fund for ongoing operational

expenses.

Staff Recommendation: Approval

Commission Recommendations: N/A Attachments: 2021 Taylor Flyer.pdf

Resolution

### **Executive Summary:**

As required by state law, City Council must hold a public hearing to consider a resolution authorizing the conveyance of 2021 Taylor Drive as part of the South District Program. This will be the fifth home sold under the program.

## **Background / Analysis:**

The City acquired the duplex at 2021-2023 Taylor Drive in 2021 for \$150,000 (\$75,000 per unit) and converted the units into condominiums. The City budgeted \$35,000 to rehabilitate the property in order to sell to an income eligible homebuyer. Prior to the City's purchase, the property sustained substantial fire damage. A complete renovation of the interior was necessary, along with new siding and updated electrical. Neighborhood Services partnered with Climate Action on this renovation to provide energy efficient improvements including the installation of solar panels, added insulation, upgraded HVAC to an air source heat pump, Energy Star rated appliances, new windows and doors, long life-cycle flooring, additional landscaping and tree planting.

The renovation efforts also benefitted from community partnerships. The student build partnership provided local high school students the opportunity to gain construction skills while contributing their labor to the project. The students, under the guidance of lowa City school teachers and members of the Greater lowa City Area Home Builders Association, assisted with building a storage shed, siding the property and other interior projects. The Home Improvement Confidence Course for Women sponsored by Kirkwood Community College and the Greater Iowa City Area Home Builders Association provided an opportunity

for local women to work on projects related to flooring and finish carpentry.

The City will sell the home for \$155,000, which is the cost the City invested in the home including purchase price, rehabilitation funds, and carrying costs (utilities, taxes, etc.). Of the \$155,000, there will be a conditional mortgage of \$35,000 on the property that will be forgiven over 10 years. No repayment is necessary unless the owner sells the property. In addition, the City will provide HOME down payment assistance on the remaining amount to finance. Based on the preliminary underwriting for the proposed homebuyer, the HOME down payment assistance is estimated at \$25,000. This is provided as a conditional mortgage and forgiven after 10 years. If the owner sells the home within 10 years, the net proceeds of the sale are shared between the City and the buyer, up to the HOME amount provided. The buyer will finance the remaining amount, estimated at \$95,000, through their lender.

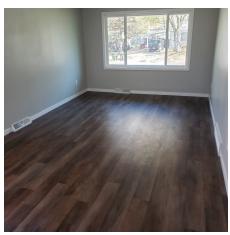
The home features two bedrooms and one bathroom on the main floor with additional living space in the basement. The buyer is a first time homebuyer and has completed a homeowner education course and counseling through Horizons. In addition, the buyer will grant the City a mortgage securing an agreement the home must be owner-occupied for 30 years.



# 2021Taylor Drive2 bedroom homeFor Sale







\$155,000

# **Recent Upgrades:**

Granite countertops
Luxury vinyl plank flooring
New roof and doors
New windows and lighting
High efficiency appliances
New furnace, A/C, & water heater





Estimated monthly housing payment is \$900-\$950 per month if homebuyer qualifies for all City financial assistance, including up to \$25,000 in down payment assistance.

Home must be owner-occupied.

This home is for sale as part of the South District Homeownership Program.

Preference is provided to residents living in the South District neighborhood. For more info and how to apply,

visit www.icgov.org/southdistrict

RESOLUTION NO
Resolution authorizing conveyance of a single-family home located at 2021 Taylor Drive.
Whereas, the South District Home Investment Partnership Program is an effort by the City to encourage home ownership and reinvestment in designated neighborhoods; and
Whereas, the City purchases residential properties, rehabilitates them, and then sells them to income-eligible buyers; and
Whereas, the City purchased a duplex at 2021-2023 Taylor Drive, rehabilitated it, and converted it to a 2-unit condominium; and
Whereas, the City has received an offer to purchase 2021 Taylor Drive for the principal sum of \$155,000; and
Whereas, this sale would provide affordable owner-occupied housing; and
Whereas, on February 21, 2023, the City Council adopted a Resolution proposing to convey its interest in 2021 Taylor Drive, authorizing public notice of the proposed conveyance, and setting the date and time for the public hearing; and
Whereas, following the public hearing on the proposed conveyance, the City Council finds that the conveyance is in the public interest.
Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:
1. Upon the direction of the City Attorney, the Mayor and the City Clerk are authorized to execute a warranty deed conveying the City's interest in 2021 Taylor Drive, Iowa City, Iowa for the sum of \$155,000.
2. The City Attorney is hereby authorized to deliver said warranty deed and to carry out any actions necessary to consummate the conveyance required by law.
It was moved by and seconded by the Resolution be adopted, and upon roll call there were:

Prepared by: Susan Dulek, First Asst. City Att'y, 410 E. Washington St., Iowa City, IA 52240(319)356-5030

Resolution No.	
Page 2	

Α	YES:	NAYS:	ABSENT:		
- - - - -			- - - - -		Alter Bergus Dunn Harmsen Taylor Teague Thomas
Passed and app	roved this	day of			, 2023.
Approved by				/ Clerk	
City Attorney's C	Office				



# CITY OF IOWA CITY COUNCIL ACTION REPORT

#### March 7, 2023

Resolution approving project manual and estimate of cost for the construction of the Rohret South Trunk Sanitary Sewer Project, establishing amount of bid security to accompany each bid, directing City Clerk to post notice to bidders, and fixing time and place for receipt of bids.

Prepared By: Joe Welter, Sr. Engineer
Reviewed By: Jason Havel, City Engineer

Ron Knoche, Public Works Director

Geoff Fruin, City Manager

Fiscal Impact: \$3,475,000 available in the Rohret South Sewer Project,

Account # V3155

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: Rohret Sewer - Location Map.pdf

Resolution

#### **Executive Summary:**

The proposed 30-inch trunk sanitary sewer main will extend from the Willow Creek Interceptor along Abbey Lane to the west side of Highway 218 and will serve future City growth.

#### **Background / Analysis:**

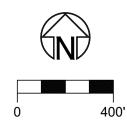
The proposed trunk sanitary sewer will connect future development on the west side of Highway 218 to the City's sanitary sewer collection system and allow development of the properties west of the highway and south of Rohret Road.

The proposed trunk sanitary sewer will be installed under Abbey Lane and part of Rushmore Drive, and cross under Mormon Trek Boulevard and Highway 218. Abbey Lane will be reconstructed with reconnected private sanitary sewer services, street pavement, driveway aprons, sidewalks, curb ramps, other public utilities, and seeding or sodding as needed to accommodate the installation of the new sewer main. Rushmore Drive and adjacent impacted areas will be reconstructed with new street pavement, curb ramps, and seeding or sodding.

**Project Timeline:** 

Bid Letting Date: March 28, 2023

Contract Award Council Meeting Date: April 4, 2023 Construction Dates: Spring 2023 – Spring 2024





Resolution	No
Resolution	INO.

Resolution approving project manual and estimate of cost for the construction of the Rohret South Trunk Sanitary Sewer Project, establishing amount of bid security to accompany each bid, directing City Clerk to post notice to bidders, and fixing time and place for receipt of bids.

Whereas, notice of public hearing on the project manual and estimate of cost for the above-named project was published as required by law, and the hearing thereon held; and

Whereas, the City Engineer or designee intends to post notice of the project on the website owned and maintained by the City of Iowa City; and

Whereas, funds for this project are available in the Rohret South Sewer Project, Account Number V3155.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa that:

- 1. The project manual and estimate of cost for the above-named project are hereby approved.
- 2. The amount of bid security to accompany each bid for the construction of the above-named project shall be in the amount of 10% (ten percent) of bid payable to Treasurer, City of Iowa City, Iowa.
- 3. The City Clerk is hereby authorized and directed to post notice as required in Section 26.3, not less than 13 days and not more than 45 days before the date of the bid letting, which may be satisfied by timely posting notice on the Construction Update Network, operated by the Master Builder of Iowa, and the Iowa League of Cities website.
- 4. Sealed bids for the above-named project are to be received by the City of Iowa City, Iowa, at the Office of the City Clerk, at the City Hall, before 3:00 p.m. on the 28<sup>th</sup> day of March, 2023. At that time, the bids will be opened by the City Engineer or his designee, and thereupon referred to the City Council of the City of Iowa City, Iowa, for action upon said bids at its next regular meeting, to be held at the Emma J. Harvat Hall, City Hall, Iowa City, Iowa, at 6:00 p.m. on the 4<sup>th</sup> day of April, 2023, or at a special meeting called for that purpose.

Passed and approved this	day of	, 2023	
	Mayor		
	, 5.	Approved by	
Attest:			
City Clerk		City Attorney's Office	

Resolution No Page 2	)				
It was moved adopted, and	by upon roll call there wer	and seconded by e:			the Resolution be
	Ayes:	Nays:	Absent:		
				Alter Bergus Dunn	
				Harmsen	
				Taylor Teague	
	<del></del>			Thomas	



## COUNCIL ACTION REPORT

#### March 7, 2023

Resolution approving project manual and estimate of cost for the construction of the Willow Creek Trail Replacement Project, establishing amount of bid security to accompany each bid, directing City Clerk to post notice to bidders, and fixing time and place for receipt of bids.

Prepared By: Tyler Olson, Civil Engineer

Reviewed By: Juli Seydell Johnson, Parks and Recreation Director

Jason Havel, City Engineer

Ron Knoche, Public Works Director

Geoff Fruin, City Manager

Fiscal Impact: \$720,500, available in the Willow Creek Trail Replacement

account #R4387

Staff Recommendation: Approval

Commission Recommendations: N/A

Attachments: Location Map

Resolution

#### **Executive Summary:**

The Project generally includes the replacement of existing trail in Willow Creek and Kiwanis parks, from Benton Street to Willow Creek Drive.

#### Background / Analysis:

The Project will replace approximately 0.9 miles of the Willow Creek Trail from Benton Street to Willow Creek Drive, including a spur of the trail connecting to Aber Ave and several connecting sidewalks and curb ramps. The replacement trail would remain in nearly the same location as the existing trail and would be constructed of PCC pavement. Construction is anticipated to begin in the spring of 2023, with completion in the fall.

**Project Timeline:** 

Bid Letting Date: March 28, 2023

Contract Award Council Meeting Date: April 4, 2023

Construction Dates: Spring 2023 – Fall 2023



Resolution No.	
----------------	--

Resolution approving project manual and estimate of cost for the construction of the Willow Creek Trail Replacement Project, establishing amount of bid security to accompany each bid, directing City Clerk to post notice to bidders, and fixing time and place for receipt of bids.

Whereas, notice of public hearing on the project manual and estimate of cost for the abovenamed project was published as required by law, and the hearing thereon held; and

Whereas, the City Engineer or designee intends to post notice of the project on the website owned and maintained by the City of Iowa City; and

Whereas, funds for this project are available in the Capital Projects Fund account #R4387.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa that:

- 1. The project manual and estimate of cost for the above-named project are hereby approved.
- 2. The amount of bid security to accompany each bid for the construction of the abovenamed project shall be in the amount of 10% (ten percent) of bid payable to Treasurer, City of Iowa City, Iowa.
- 3. The City Clerk is hereby authorized and directed to post notice as required in Section 26.3, not less than 13 days and not more than 45 days before the date of the bid letting, which may be satisfied by timely posting notice on the Construction Update Network, operated by the Master Builder of Iowa, and the Iowa League of Cities website.
- 4. Sealed bids for the above-named project are to be received by the City of Iowa City, Iowa, at the Office of the City Clerk, at the City Hall, before 3:00 p.m. on the 28th day of March, 2023. At that time, the bids will be opened by the City Engineer or his designee, and thereupon referred to the City Council of the City of Iowa City, Iowa, for action upon said bids at its next regular meeting, to be held at the Emma J. Harvat Hall, City Hall, Iowa City, Iowa, at 6:00 p.m. on the 4th day of April, 2023, or at a special meeting called for that purpose.

Passed and approved this	day of	, 2023.	
	Mayor	Approved by	
Attest:		Approved by	
City Clerk	<del></del>	City Attorney's Office	

Resolution No Page 2					
	y on roll call there were	and seconded by _			the Resolution be
Δ	Ayes:	Nays:	Absent:		
- - - -				Alter Bergus Dunn Harmsen Taylor	
_	<u></u>			Teague	

Item Number: 9.d.



## COUNCIL ACTION REPORT

March 7, 2023

Ordinance Amending Title 9, Entitled "Motor Vehicles and Traffic," Chapter 4, Entitled "Parking Regulations," to Return Library Parking to a 20-Minute Limit. (Second Consideration)

Prepared By: Susan Dulek, First Ass't. City Attorney

Reviewed By: Geoff Fruin, City Manager

Elsworth Carman, Library Director

Fiscal Impact: none
Staff Recommendation: Approval
Commission Recommendations: N/A

Attachments: Ordinance

#### **Executive Summary:**

There are 6 parking spots in the front of the library designated for library parking. Prior to COVID, 5 spaces allowed patrons to park for 20 minutes and 1 space allowed patrons to use the outside drop box for 5 minutes. To facilitate curbside service for library patrons during the pandemic, the City Code was amended to limit parking to 10 minutes in all 6 spaces. Both library staff and patrons recommend returning to the pre-COVID limits.

#### Background / Analysis:

There are 6 parking spots in the front of the library designated for library parking. Prior to the COVID-19 pandemic, 5 spaces allowed patrons to park for 20 minutes and 1 space allowed patrons to use the outside drop box for 5 minutes. Due to the safety concerns posed by COVID-19, the library was initially closed but provided curbside service. To facilitate curbside service for library patrons, the City Code was amended in 2020 to provide all 6 spaces were limited to 10 minutes. At the time of the prior amendment, staff anticipated requesting another amendment to return to the pre-pandemic limits. Both library staff and patrons recommend returning to a 20-minute limit for 5 parking spaces and a 5-minute limit for the 1 drop-off parking space.

ORDINANCE	NO.	

Ordinance Amending Title 9, Entitled "Motor Vehicles and Traffic," Chapter 4, Entitled "Parking Regulations," to Return Library Parking to a 20-Minute Limit.

Whereas, there are six parking spots in the front of the Iowa City Public Library designated for library parking; and

Whereas, prior to the COVID-19 pandemic, fives spaces allowed patrons to park for 20 minutes and one space allowed patrons to use the outside drop box for 5 minutes; and

Whereas, due to the safety concerns posed by COVID-19, the library was initially closed but provided curbside service; and

Whereas, to facilitate curbside service for library patrons, the City Code was amended in 2020 to provide all six spaces were limited to 10 minutes; and

Whereas, both library staff and patrons recommend returning to a 20-minutes limit for five parking spaces and a 5-minute limit for the one drop-off parking space; and

Whereas, it is in the best interest of the City to return library parking to the pre-pandemic limits.

Now, therefore, be it ordained by the City Council of the City of lowa City: Section I. Amendments.

- 1. Title 9, entitled "Motor Vehicles and Traffic," Chapter 4, entitled "Parking Regulations," Section 15, entitled "Library Parking," is hereby amended by adding the underlined text and deleting the strike-through text as follows:
  - A. Designation: The six (6) northernmost angled parking spaces on the west side of Linn Street directly adjacent to the front of the lowa City public library are designated as "library parking" spaces.
  - B. Spaces: The "library parking" space to the far north is further designated as a "library outside book drop off" space. The five (5) spaces directly to the south of the "library outside book drop off" space are further designated as "library patron parking" spaces.
  - C. Signage: Each space shall contain signage that includes said designation of "library patron parking" and "library outside book drop off". The "library patron parking" signage shall include and notification that the lowa City public library hours are posted on the library entrance door.
  - D. Parking: During the hours posted on the library entrance door, no person shall stop, stand or park a vehicle in a "library <u>patron</u> parking" space except for the sole purpose of allowing a passenger to <u>use curbside service</u> or go directly to and from the lowa City public library, and said stop shall not exceed ten (10) twenty (20) minutes. At no time shall a person stop, stand or park a vehicle in the "library outside book drop off" space except for the sole purpose of allowing a passenger to deposit a book or other item in one of the drop off boxes located on the outside east wall of the lowa City public library and to return directly to said vehicle, and said stop shall not exceed five (5) minutes. For purposes of this section, "passenger" includes the driver of the vehicle.
  - E. Violations: It shall be unlawful and a violation of the provisions of this section for any owner or driver to permit a vehicle to remain in violation of the "library <u>patron</u> parking" <u>or "library outside book drop off"</u> provision. Every ten (10) minutes that a vehicle remains in violation of said provisions after the vehicle is initially cited shall constitute a separate and

Ordinance No.	
Page 2	

distinct offense. The fees for each such parking offense shall be as provided in the schedule of fees set out in title 3, chapter 4 of this code. <u>Additionally, any vehicle in violation of the "library outside book drop off" provision is subject to being towed consistent with the provisions of section 9-9-2 of this title.</u>

<u>Section II. Repealer</u>. All ordinances and parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

<u>Section III. Severability</u>. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section IV. Effective Date. This Ordinance shall be effective upon publication.

Passed and approved this	day of	, 2023.
Mayor		
Attest: City Clerk		
Approved by		
City Attorney's Office	_	

Ordinance No	D		
Page	_		
It was moved	l by		and seconded by
that the Ordi	nance as read b	e adopted and ເ	ipon roll call there were:
Ayes:	Nays:	Absent	Abstain
			Alter
			Bergus
-	[0 <del></del>		Dunn
	9	-	Harmsen Taylor
			Teague
			Thomas
	.85		
First Conside	ration:2/21	/2023	
Vote NAY:	for passage: S: None ABS	AYES: Alter, ENT: Teague	Bergus, Dunn, Harmsen, Taylor, Thomas
Second Cons	ideration:		
Vote	for passage		
Date publish	ed		

Item Number: 9.e.



#### March 7, 2023

Resolution in continued support of Ukrainian sovereignty, one year following the illegal and immoral invasion of Ukraine by the Russian military; calling for the immediate withdrawal of Russian forces and for peace in Ukrainian sovereign territory.

Prepared By: Andrew Dunn, City Councilor Reviewed By: Geoff Fruin, City Manager

Fiscal Impact: None

Staff Recommendation: No recommendation

Commission Recommendations: N/A

Attachments: Resolution

#### **Executive Summary:**

This resolution was drafted by Councilor Dunn in consultation with members of the City Council and expresses continued and clear support for Ukraine and its leaders one year following the illegal invasion and annexation of Ukraine and its people.

Resolution	No.	
1 Coolution	INO.	

Resolution in continued support of Ukrainian sovereignty, one year following the illegal and immoral invasion of Ukraine by the Russian military; calling for the immediate withdrawal of Russian forces and for peace in Ukrainian sovereign territory.

Whereas, on February 24th, 2022, one year ago, the Russian Federation launched a heinous and illegal invasion of the sovereign state of Ukraine; and

Whereas, the forced illegal annexation of the sovereign territories of Ukraine by Russia has deliberately demolished civilian life and critical infrastructure, creating devastating and lasting impacts on civilians that represent dire human rights violations and crimes against humanity, including genocide, that must be halted immediately; and

Whereas, the international community continues to condemn and rebuke the deplorable actions of the Russian military; and

Whereas, Iowa City is a proud member of the global community, a UNESCO City of Literature, with rich connections around the world through our immigrant communities, international students, and professors at the University of Iowa; and

Whereas, Iowa City has come together to grieve and mourn the loss of innocent human lives; and

Whereas, on March 22nd, 2022, the City of Iowa City acted in solidarity with the Ukrainian people by passing Resolution 22-80, a "Resolution in support of the Ukrainian leaders and people as they defend against Russia's immoral and illegal massive military attack on the sovereign nation of Ukraine"; and

Whereas, solidarity and continued public support of the Ukrainian people's struggle for justice and freedom in Russia's war of aggression will be a critical component of Ukrainian victory and preservation of its sovereignty and democracy.

Now, therefore, be it resolved by the City Council of the City of Iowa City that we:

- 1. Support the immediate withdrawal of Russian forces from all Ukrainian sovereign territory, returning to Ukraine's pre-2014 borders.
- 2. Condemn the atrocities and human rights violations, including genocide, that have been committed by the Russian military and continue to this day.
- 3. Demand, in concurrence with the international community, that there be consequences for civilian casualties and reparations to address damage to "critical infrastructure" and the murder of innocent civilians.
- 4. Elevate and remember the stories of the Ukrainian people, defenders, and those who lost their lives defending their people, country, and freedom worldwide.

Passed and approved this	day of	, 2023.
		Approved by
Attest:City Clerk		City Attorney's Office
It was moved by adopted, and upon roll call there	•	the Resolution be
Ayes:	Nays:	Absent:
		Alter Bergus Unn Harmsen Taylor Teague Thomas

Item Number: 10.a.



# COUNCIL ACTION REPORT

March 7, 2023

Airport Zoning Commission (Iowa City Representative) - One vacancy to fill a six-year term, January 1, 2022 - December 31, 2027. (Term expired for Christine Ogren)

Attachments: Vacancy Announcement & Coversheet.pdf

Board Demographics & Attendance.pdf

Gentile, Anthony - Application.pdf

#### NOTICE

THE CITY COUNCIL OF IOWA CITY IS CONSIDERING APPOINTMENT TO THE FOLLOWING BOARD:

#### **AIRPORT ZONING COMMISSION (lowa City Representative)**

One Vacancy: Six-Year Term January 1, 2022 - December 31, 2027

- Duties of the Airport Zoning Commission are: to recommend amendments to the current lowa City Airport Zoning regulations, including the repeal thereof.
- To recommend the adoption of new Airport Zoning regulations.
- The Board meets as required.

lowa City-appointed members of the boards and commissions must be 18 years of age and live in lowa City. The City of lowa City encourages diversity in the appointment to boards and commissions.

An application can be completed and submitted on the City of Iowa City website at <a href="www.icgov.org">www.icgov.org</a> or by contacting the City Clerk's office. <a href="www.icgov.org">Vacancy open until filled.</a>

Questions about the Iowa City Airport Commission should be directed to Michael Tharp, Airport Operations Specialist at 356-5045.

### **Board/Commission Application Cover**

Board/Commission:

Airport Zoning Commission

One vacancy to fill a six-year term.

January 1, 2022 - December 31, 2027

It is hereby established, as a formal policy of the City Council of Iowa City, that each application for reappointment to a City Board or Commission will be considered without regard to incumbency. If reappointed, an individual would be limited to one reappointment to a full term in order to increase the opportunities for new applicants to serve.

**Council Announcement Date:** 

10/5/2021

**Application Deadline:** 

11/9/2021

**Council Appointment Date:** 

11/16/2021

Date of Non-Gender Appointment: 1/3/2022

After date above Council may appoint without regard to gender

**Gender Balance Requirement:** 

None

**Current Gender Balance:** 

Female: 0

Male: 4

Gender

Name and Address

Male

Gentile, Anthony

2143 Kountry Ln SE, Unit 10

### Airport Zoning Commission Demographic Report

Name	Category	Term Type	Term Number	Stop Term	Resident Years	Occupation	Gender*	Age*	Country of Origin*	Sexual Orientation*	Religion*	Disability*	Ethnicity*	Gender Identity*	Race*
Dennis Keitel	IC Appt	Full	1	12/31/2023	25 years	civil engineer	Male	65	USA	heterosexual	R. Catholic	No	caucasian		
Randy Hartwig	Chair - Appt. by Members		1	12/31/2024											
Mike Parker	JC Appt	Full		12/31/2028											
Rod Sullivan	JC Appt	Full		12/31/2028											
VACANT	IC Appt	Full													

Please note: The information provided is the information provided on the application at the time of submission.

<sup>\*</sup> Information is voluntary

### Airport Zoning Commission

### ATTENDANCE RECORD

#### 2019

NAME	TERM EXP.	05/21/19									
Dennis Keitel	12/31/2023	0			1	1	<del> </del>	+		†	
Christine Ogren	12/31/2021	Х		-	1	-	+			+	
Mike Parker	12/31/2022	X					+-		ļ -	+	
Royceann Porter	12/31/2020	Х									

Key:

X = Present

X/E = Present for Part of Meeting

O = Absent

O/E = Absent/Excused

NM = Not a Member at this time



#### **Advisory Board/Commission Application Form**

This application is a public document and as such can be reproduced and distributed for the public. This application will be considered for twelve months only and automatically considered for any vacancy during that time.

If appointed to a Board/Commission, all other applications will be removed from consideration.

NOTE: Applicants must reside in Iowa City and be 18 years of age unless specific qualifications are stated. **Date of Application** 2/16/2023 First Name\* Anthony Last Name \* Gentile First Name (Phonetic spelling) Optional Last Name (Phonetic spelling) Optional Home Address\* 2143 Kountry Ln SE, Unit 10 City\* Iowa City State IA Zip Code\* 52240 Is your home address (listed above) within the corporate limits of lowa City?\* Contact Phone Number\* 8155083774 Email Address\* tgentile42@gmail.com **Boards & Commissions** 

#### Preference on first choice

If multiple boards are being applied for.

Airport Zoning Commission

Select a Board or Commission you are interested in: \*

How long have you been a resident of lowa City?
Since August of 2019
Occupation: *
Attorney
Gender*
*This question is mandatory in order for the City to comply with the State's gender balance requirement, which treats gender as binary. "Gender Identity" may be provided in the Demographics section of the application below.
✓ Male
☐ Female

#### Experience and/or activities which you feel qualify you for this position: \*

I graduated from the University of Iowa College of Law in May, 2022. During my time at the law school I took two classes on property law, one of which specifically included sections on land use and zoning. Outside of those classes, the legal curriculum as a whole has helped me develop skills to read and write statutes, interpret laws, and argue for policy change. Overall, I think my professional career and academic background qualify me quite well for this position.

#### What is your present knowledge of each advisory board you are interested in?\*

My present knowledge of the Airport Zoning Commission comes from reading the archived minutes on the Iowa City website. From this reading I know the topics and general flow of how the commission operates.

Please contact the City Attorney at 356-5030 to discuss questions or concerns regarding a potential conflict of interest. The following describe some but not all potential conflicts.

#### **Potential Conflicts of Interest**

The Housing and Community Development Commission makes recommendations to the City Council regarding the distribution of federal CBDG/HOME funds. The general rule is that no persons who exercise or have exercised any functions or responsibilities with respect to federally funded activities, or who are in a position to participate in the decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a federally–assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a federally-assisted activity, or with respect to the proceeds of the federally-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

Section 362.5 of the Code of Iowa generally prohibits, with certain important exceptions, a member of a City Board or Commission from having an interest in a City contract.

City Council Resolution # 15-300 established a policy that the following persons shall not be eligible for appointment to Boards and Commissions:

A Council Member's spouse, domestic partner or partner by cohabitation, children, step-children, children for whom the Council Member assumes parental responsibility, mother, father, son-in-law, daughter-in-law, mother-in-law, father-in-law, step-parent, brother, sister, step -siblings and half -siblings, brother-in-law, sister-in-law, grandparents and grandchildren, aunt, uncle, niece, nephew, first cousin, foster parent, foster child, persons who are parents of the same child, and persons with whom the employee is in an intimate relationship

Res. #15-300 states that each application for reappointment to a City Board or Commission will be considered without regard to incumbency. If reappointed, an individual would be limited to one reappointment to a full term in order to increase the opportunities for new applicants to serve.

Council policy is not to permit an individual to serve on two Boards or Commissions at the same time. You will be asked to resign from one if appointed to another.

Do you currently have a conflict of Interest?\*

No

Do you currently serve on another lowa City board or commission?\*

No

#### (Optional) Demographic Information

The City Council values all types of diversity on its Boards and Commissions. Your responses on this page provide valuable information to the Council in achieving that goal.

In order to ensure that the Board and Commission is representative of the community and the groups(s) which it serves, please provide your information for the following:

#### Age

26

#### **Country of Origin**

United States of America

#### **Sexual Orientation**

Straight

#### Religion

none

#### Do you have a disability?

No

#### **Ethnicity**

White

#### Race

Non Hispanic

#### **Gender identity**

Male

#### \*NOTE:

The Human Rights Commission strives to ensure the Commission is representative of the community. Therefore, appointment shall take into consideration persons of various racial, religious, cultural, social and economic groups in the city. (Ordinance)

The Housing and Community Development Commission strives to satisfy its purpose and intent, when possible to have at least one person with expertise in construction, at least one person with expertise in finance, and one person who receives rental assistance. (Resolution)

Signature of Applicant\*



Misrepresentations on this application will constitute just cause for removal of an appointee. If you fail to answer all the questions, except demographics, Council will not consider your application.

You are encouraged to contact individual Council Members to express your interest in serving.



March 7, 2023

Parks & Recreation Commission - One vacancy to fill an unexpired term, upon appointment - December 31, 2024. (Christopher Odinet resigned) Correspondence included in Council packet.

Applications must be received by 5:00 P.M., Tuesday, April 11, 2023.

Attachments: Christopher Odinet Resignation

#### **Kellie Fruehling**

From:

Juli Seydell Johnson

Sent:

Wednesday, March 1, 2023 11:42 AM

To:

Kellie Fruehling

Subject:

Parks Commission Resignation - Odinet

Kellie – please start the process to fill this vacancy. Thanks, Juli

From: Chris Odinet <christopher.odinet@gmail.com>

Sent: Tuesday, February 7, 2023 11:51 AM

To: Alex Hachtman <alex.hachtman@gmail.com>; Juli Seydell Johnson <JuJohnson@iowa-city.org>

Subject: Iowa City Parks and Rec



\*\* This email originated outside of the City of Iowa City email system. Please take extra care opening any links or attachments. \*\*

Dear Alex and Juli,

I hope you're both doing well. I'm writing about two things - one small, the other bigger.

First, I know we have a meeting tomorrow. I RSVPed yes, as I thought I was leaving for a meeting in DC on Thursday. However, as I now check my flight info, I'm leaving tomorrow. I had completely forgotten that I made plans to go over a day early. So, that means I won't be able to attend the meeting tomorrow.

Second, I fear that I am missing and that I will continue to miss too many commission meetings. My work travel schedule last semester, in the fall, was quite hectic, and I missed quite a few meetings. However, I think it will be a bit worse for all of 2023. I am currently on sabbatical, and I am leaving the country for two months to do research, beginning on Feb. 15 and then returning April 7. After that, I have another trip in May, I'm gone for the month of June, and then (this is the bigger issue) I recently accepted an offer to be a visiting professor at the University of Georgia's law school in the fall semester. So I will be living in Athens from the beginning of August through the last week of November.

As you can tell, I will miss so many meetings - and all of the meetings in the fall, actually. I cannot continue to be a commissioner under these circumstances. I've enjoyed being on this board and working with the two of you so very much. But, I want to do a good job, and I can't do that if I'm never there.

So, that being said, I need to resign. Should I just communicate that to you two or do I need to send something to the City Council? Again, I am very sorry to leave you all - it's been such a pleasure and a wonderful learning experience.

Very sincerely,

-Chris