

Subject to change as finalized by the City Clerk. For a final official copy, contact the City Clerk's Office 356-5040.

**Iowa City  
City Council Agenda  
Regular Formal  
March 2, 2010 - 7:00 p.m.  
City Hall – Harvat Hall  
410 E. Washington Street**



www.icgov.org

- ITEM 1. CALL TO ORDER.  
ROLL CALL.**
- ITEM 2. OUTSTANDING STUDENT CITIZENSHIP AWARDS – Grant Wood Elementary School**
- a) Devion Colford
  - b) Ester Fuentes
  - c) Shawn Phanthavong
- ITEM 3. PROCLAMATION.**
- a) Special Olympics Month – March 2010
- ITEM 4. CONSIDER ADOPTION OF THE CONSENT CALENDAR AS PRESENTED OR AMENDED.**
- a) **Approval of Council Actions, subject to corrections, as recommended by the City Clerk.**
    - 1. February 16, Regular Council Formal Official and Complete
    - 2. February 16, Special Council Formal Official and Complete
    - 3. February 16, Special Council Work Session
  - b) **Receive and File Minutes of Boards and Commissions (any recommendations contained in minutes become effective only upon separate Council action).**
    - 1. Human Rights Commission: January 19, 2010
    - 2. Historic Preservation Commission: January 14, 2010
    - 3. Board of Adjustment: January 13, 2010
    - 4. Senior Center Commission: January 21, 2010
    - 5. Youth Advisory Commission: December 6, 2009
    - 6. Housing and Community Development Commission: January 28, 2010
    - 7. Airport Commission: January 21, 2010
  - c) **Permit Motions and Resolutions as Recommended by the City Clerk.**
- New:**
- 1. Class C Liquor License for Coach's Corner Sports Pub, LLC, dba Coach's Corner Sports Pub, 749 Mormon Trek Blvd.

2. Outdoor Service Area for Coach's Corner Sports Pub, LLC, dba Coach's Corner Sports Pub, 749 Mormon Trek Blvd.

**Renewal:**

3. Class C Liquor License for Kmarcella, Inc., dba Donnelly's Pub, 110 E. College St.
4. Class B Beer Permit for Stuff Corporation dba Godfather's Pizza, 531 Hwy 1 West.
5. Special Class C Liquor License for Devotay, Inc., dba Devotay, 117 N. Linn St.
6. Class E Liquor License for Hy-Vee, Inc., dba Hy-Vee Food & Drugstore #1 & Regal Liquor, 1720 Waterfront Dr.
7. Class E Liquor License for Hy-Vee, Inc., dba Hy-Vee Food Store #2, 812 S. First Ave.
8. Class C Liquor License for Carl & Ernie Enterprises, LLC, dba Carl & Ernie's Good Time Pub & Grub, 161 Highway 1 W.
9. Outdoor Service Area for Carl & Ernie Enterprises, LLC, dba Carl & Ernie's Good Time Pub & Grub, 161 Highway 1 W.

**d) Motions.**

**CONSIDER A MOTION TO APPROVE DISBURSEMENTS IN THE AMOUNT OF \$9,881,511.32 FOR THE PERIOD OF JANUARY 1 THROUGH JANUARY 31, 2010, 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.**

**e) Public Hearings.**

1. **CONSIDER A RESOLUTION SETTING A PUBLIC HEARING ON THE 23<sup>RD</sup> OF MARCH ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE CONSTRUCTION OF THE IOWA CITY MERCER PARK AQUATIC CENTER POOL FILTER REPLACEMENT PROJECT, DIRECTING CITY CLERK TO PUBLISH NOTICE OF SAID HEARING, AND DIRECTING THE CITY ENGINEER TO PLACE SAID PLANS ON FILE FOR PUBLIC INSPECTION.**

Comment: Demolition of existing paddock vacuum sand filter system, furnishing and installing a new fiberglass deck system including supporting masonry and steel structure. Painting will be involved. The work will include the installation of new filters, a circulation pump and chemical systems and related piping and valves. The contractor will be responsible for providing support for associated plumbing and electrical work. The estimated construction cost is \$250,000 and will be funded with General Obligation bond proceeds.

2. **CONSIDER A RESOLUTION SETTING A PUBLIC HEARING ON MARCH 23, 2010 ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE CONSTRUCTION OF THE 2010 SANITARY SEWER REHABILITATION PROJECT, DIRECTING CITY CLERK TO PUBLISH NOTICE OF SAID HEARING, AND DIRECTING THE CITY ENGINEER TO PLACE SAID PLANS ON FILE FOR PUBLIC INSPECTION.**

Comment: This project will repair the sanitary sewer located at Lower Muscatine Road and the storm sewer at the intersection of Riverside Drive and Burlington Street/Grand Avenue. The project will utilize underground repair technology for the sewer repairs that requires no excavation. The estimated construction cost is \$190,850 and will be funded with Wastewater revenues.

3. **CONSIDER A RESOLUTION SETTING A PUBLIC HEARING ON MARCH 23, 2010 ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE CONSTRUCTION OF THE 2010 PAVEMENT REPLACEMENT FOR WATER MAIN PROJECT, DIRECTING CITY CLERK TO PUBLISH NOTICE OF SAID HEARING, AND DIRECTING THE CITY ENGINEER TO PLACE SAID PLANS ON FILE FOR PUBLIC INSPECTION.**

Comment: This project consists of the removal and replacement of existing PCC and HMA pavement in association with the in-house Water Main Replacement Program located at Plum Street, Euclid Avenue, Crescent Street, 2<sup>nd</sup> Avenue, and D Street. It also includes the removal and replacement of existing sidewalk and ADA compliant handicap ramps in these areas. The funding source is Water revenues. The estimated cost is \$118,875.

4. **CONSIDER A RESOLUTION SETTING A PUBLIC HEARING ON MARCH 23, 2010 ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE CONSTRUCTION OF THE 2010 WATER MAIN DIRECTIONAL BORING PROJECT, DIRECTING CITY CLERK TO PUBLISH NOTICE OF SAID HEARING, AND DIRECTING THE CITY ENGINEER TO PLACE SAID PLANS ON FILE FOR PUBLIC INSPECTION.**

Comment: This project consists of installing PVC water main by directional boring in association with the in-house Water Main Replacement Program located at Plum Street, Euclid Avenue, Crescent Street, 2<sup>nd</sup> Avenue, and D Street. The funding source is Water revenues. The estimated cost is \$120,540.

f) **Resolutions.**

1. **CONSIDER A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST TO THE RELEASE OF LIEN REGARDING A MORTGAGE FOR THE PROPERTY LOCATED 1029 7<sup>TH</sup> AVENUE, IOWA CITY, IOWA.**

Comment: The owner of the property located at 1029 7<sup>th</sup> Avenue received assistance through the City of Iowa City's housing rehabilitation program. The loan has been paid off; thus the lien needs to be released.

2. **CONSIDER A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST TO THE RELEASE OF LIEN REGARDING A MORTGAGE FOR THE PROPERTY LOCATED 228 S. SUMMIT STREET #D4, IOWA CITY, IOWA.**

Comment: The owner of the property located at 228 S. Summit Street #D4 received assistance through the City of Iowa City's downpayment assistance program. The loan has been paid off; thus the lien needs to be released.

3. **CONSIDER A RESOLUTION AUTHORIZING THE MAYOR EXECUTE AND THE CITY CLERK TO ATTEST TO A SUBORDINATION AGREEMENT BETWEEN THE CITY OF IOWA CITY AND UNIVERSITY OF IOWA COMMUNITY CREDIT UNION, IOWA CITY, IOWA FOR PROPERTY LOCATED AT 59 REGAL LANE, IOWA CITY, IOWA.**

Comment: University of Iowa Community Credit Union has requested that the City approve a Subordination Agreement for property at 59 Regal Lane. In 2006, the owner of the property received a mortgage and a promissory note from the City of Iowa City. The property has enough equity to cover the City's lien position.

4. **CONSIDER A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST A RENEWAL OF A LICENSE AGREEMENT FOR TEMPORARY USE OF PUBLIC RIGHT-OF-WAY BETWEEN THE CITY OF IOWA CITY, LANDOWNER WILLIAM & JOAN GILPIN REV. TRUST, AND TENANT 2-TONE, INC. D/B/A BLUE BIRD DINER, FOR A SIDEWALK CAFE.**

Comment: William & Joan Gilpin Rev. Trust, as landowner, and 2-Tone, Inc., d/b/a as Blue Bird Diner, seek a renewal of a license agreement for temporary use of public right-of-way at 330 Market Street, Iowa City, Iowa for a sidewalk cafe. City staff and Design Review have reviewed the plans and specifications and required submittals and recommend approval of said agreement.

- 5. **CONSIDER A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST A RENEWAL OF A LICENSE AGREEMENT FOR TEMPORARY USE OF PUBLIC RIGHT-OF-WAY BETWEEN THE CITY OF IOWA CITY, LANDOWNER AMBROSE PROPERTIES, LC, AND TENANT CAFFREY, INC. D/B/A DC’S, FOR A SIDEWALK CAFE.**

Comment: Ambrose Properties, LC, as landowner, and Caffrey, Inc., d/b/a as DC’s, seek a renewal of a license agreement for temporary use of public right-of-way at 124 S. Dubuque Street, Iowa City, Iowa for a sidewalk cafe. City staff and Design Review have reviewed the plans and specifications and required submittals and recommend approval of said agreement.

- 6. **CONSIDER A RESOLUTION ACCEPTING THE WORK FOR THE 404 HAZARD MITIGATION PROPERTY ACQUISITION ASBESTOS ABATEMENT PROJECT.**

Comment: The project has been completed in substantial accordance with the plans and specifications. The Engineer’s Report and Performance and Payment bonds are on file with the City Engineer.

**g) Correspondence.**

- 1. Acting Traffic Engineering Planner: **Installation of NO PARKING ANY TIME signs on the east side of S. Riverside Drive between Commercial Drive and McCollister Boulevard.**
- 2. Julie Risinger: **Railroad Crossing** [staff response included]
- 3. Sarah Clark: **Reconsideration of urban chickens**
- 4. Teresia Bennett: **Insurance liability requirements for taxicabs** [staff response included]
- 5. Karl Schulz: **Development of the Near Southside area**
- 6. Bernice Hamilton: **Curfew**
- 7. Cliff Pirnat: **Flood preparation**
- 8. Ryan O’Malley: **Google high speed fiber optic internet service**
- 9. Cindy Roberts: **Scattered Site Task Force**
- 10. John Hudson: **Drinking behavior**
- 11. Alexander Cohen: **City’s snow removal policy** [staff response included]
- 12. Robert Groves: **U.S. Census Bureau ”Take 10” challenge**
- 13. Charlie Eastham: **Olde Town Village neighborhood**

**END OF CONSENT CALENDAR.**

---



---

**ITEM 5.**

**COMMUNITY COMMENT (ITEMS NOT ON THE AGENDA). [UNTIL 8 PM]**

Community Comment will be continued, if necessary, prior to “City Council Information” item.

---



---

**ITEM 6. PLANNING AND ZONING MATTERS.** (Item “a,b” will proceed as outlined in the City Attorney’s memo of 2/28/07 entitled ‘Rezoning, Due Process and Ex parte communications.’)

a) **CONDITIONALLY REZONING APPROXIMATELY 5.05 ACRES LOCATED AT MORMON TREK BOULEVARD SOUTH OF EAGLE VIEW DRIVE FROM COMMERCIAL OFFICE (CO-1) TO INTENSIVE COMMERCIAL (CI-1) (REZ09-00011)**

Comment: At its February 4 meeting, by a vote of 7-0, the Planning and Zoning Commission recommended approval of this rezoning subject to conditions regarding landscape screening, buffering and lighting. Staff recommended approval in a report dated January 7. Approval will allow this property to be developed with intensive commercial uses, such as vehicle sales, and related uses.

**1. PUBLIC HEARING**

Action: \_\_\_\_\_  
\_\_\_\_\_

**2. CONSIDER AN ORDINANCE (FIRST CONSIDERATION)**

Action: \_\_\_\_\_  
\_\_\_\_\_

b) **CONSIDER AN ORDINANCE REZONING APPROXIMATELY 132 ACRES OF LAND FROM COUNTY AGRICULTURAL (C-AG) ZONE TO INTERIM DEVELOPMENT – RESEARCH PARK (ID-ORP) ZONE FOR PROPERTY LOCATED NEAR THE INTERSECTION OF HIGHWAY 1 AND INTERSTATE 80 (REZ09-00006) (SECOND CONSIDERATION)**

Comment: At its January 21 meeting, by a vote of 7-0, the Planning and Zoning Commission recommended approval of this rezoning. Staff recommended approval in a report dated December 17. The Interim Development – Research Park zone designation indicates the City’s intention to rezone the property at a future date to allow research park uses when adequate infrastructure is in place. The applicant has requested expedited consideration. Final consideration cannot be granted unless we have received confirmation from the Secretary of State that the annexation has been approved at the State level. Correspondence included in Council packet.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 7. APPROVING THE IOWA CITY HOUSING AUTHORITY’S FIVE (5) YEAR PLAN FOR 2010-2015 AND THE ANNUAL PLAN FOR FISCAL YEAR 2010.**

Comment: The Public Housing Authority is required to submit a Five (5) Year Plan for 2010-2015 and the update the Annual Plan for 2010 under the Quality Housing and Work Responsibility Act of 1998 (“QHWRA”). The Public Housing Reform Act requires submission of both a 5-Year and an Annual Plan. The 5-year PHA (Public Housing Agency) Plan describes the agency’s mission and the long-term plan for achieving that mission over the subsequent five years. The Annual Plan provides details about the Housing Authority’s current programs and the residents served, as well as the Housing Authority’s strategy for addressing the housing needs currently assisted families and the larger community. Documentation included in Council packet.

**a) PUBLIC HEARING**

Action: \_\_\_\_\_  
\_\_\_\_\_

**b) CONSIDER A RESOLUTION**

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 8. ADOPTING THE AMENDED IOWA CITY HOUSING AUTHORITY HOUSING CHOICE VOUCHER (HCV) ADMINISTRATIVE PLAN.**

Comment: The Department of Housing and Urban Development requires the adoption of a Housing Choice Voucher (HCV) Administrative Plan. Staff memo included in Council packet.

**a) PUBLIC HEARING**

Action: \_\_\_\_\_  
\_\_\_\_\_

**b) CONSIDER A RESOLUTION**

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 9. ADOPTING THE AMENDED IOWA CITY HOUSING AUTHORITY PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP).**

Comment: The Department of Housing and Urban Development requires the adoption of a Public Housing Admissions and Continued Occupancy Policy (ACOP). (See previous item for staff memo containing more detailed information).

**a) PUBLIC HEARING**

Action: \_\_\_\_\_  
\_\_\_\_\_

**b) CONSIDER A RESOLUTION**

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 10. APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE CONSTRUCTION OF THE EAST SIDE RECYCLING CENTER PROJECT, ESTABLISHING AMOUNT OF BID SECURITY TO ACCOMPANY EACH BID, DIRECTING CITY CLERK TO PUBLISH NOTICE TO BIDDERS, AND FIXING TIME AND PLACE FOR RECEIPT OF BIDS.**

Comment: The Project will involve two bid packages with new construction, additions and renovations at 2401 Scott Blvd., Iowa City, Iowa. Bid package one will be for a 20,300 square foot addition and renovation to the existing building currently housing Habitat ReStore. There will also be a separate structure that will accommodate a motor oil recycling drop off, a wood chip and compost pick-up station. Additionally within bid package one is the construction of a salt storage building and a bulk-water distribution station. Bid package two will be the construction of a new 2,250 square foot Environmental Education Center; the structure is targeted for Platinum LEED Certification. Both bid packages include site work, general building construction, mechanical systems, and electrical systems. Use of a ground-source heat pump system, photovoltaic fixtures and wind generated power will be incorporated into the mechanical and electrical packages. The estimated construction cost is for Bid Package No. 1 is \$3,091,000 and for Bid Package No. 2 is \$1,350,000 for a total of \$4,441,000. In addition, an alternate bid will be included for Bioswale site work and the estimated cost is \$278,500. The project will be funded with Landfill User Fees.

**a) PUBLIC HEARING**

Action: \_\_\_\_\_  
\_\_\_\_\_

**b) CONSIDER A RESOLUTION**

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 11. INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$17,750,000 SEWER REVENUE CAPITAL LOAN NOTES, SERIES 2010.**

Comment: This public hearing is being held to receive comment regarding the issuance of up to \$17,750,000 Sewer Revenue Refunding Capital Loan Notes. Note proceeds will be used to refund outstanding sewer revenue indebtedness, including the Series 2001 and 2002 Sewer Revenue Bonds. Refunding these bond issues early will result in anticipated savings of approximately \$500,000. This resolution authorizes staff to proceed on behalf of the City with the sale of the notes, and to take all action necessary to permit the sale of said notes on a basis favorable to the City and acceptable to the City Council.

**a) PUBLIC HEARING**

Action: \_\_\_\_\_

**b) CONSIDER A RESOLUTION**

Action: \_\_\_\_\_

**ITEM 12. CONSIDER RESOLUTION DIRECTING SALE OF \$ 17,750,000 SEWER REVENUE REFUNDING CAPITAL LOAN NOTES.**

Comment: Bids were received at 10:00 am on March 2, 2010, for the sale of \$17,750,000 Sewer Revenue Refunding Capital Loan Notes. This resolution ratifies and confirms the actions of the Finance Director and City Clerk in the determination of the most favorable bid.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 13. CONSIDER RESOLUTION AUTHORIZING THE REDEMPTION OF OUTSTANDING SEWER REVENUE BONDS, DATED DECEMBER 1, 2001, AND SEWER REVENUE REFUNDING BONDS, DATED APRIL 1, 2002, AND DIRECTING NOTICE TO BE GIVEN.**

Comment: See above.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 14. CONSIDER A RESOLUTION ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2011.**

Comment: A public hearing was held on February 16, 2010, to receive public input on the FY2011 Proposed Operating Budget. State law requires that the City adopt a one-year budget. Council now proceeds to adopt the annual budget for the fiscal year ending June 30, 2011 (FY2011), which must be certified to the Johnson County Auditor by March 15, 2010, in the format required by the State.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 15. CONSIDER A RESOLUTION APPROVING THE THREE-YEAR FINANCIAL PLAN FOR THE CITY OF IOWA CITY, IOWA, AND THE FIVE-YEAR CAPITAL IMPROVEMENTS PROGRAM.**

Comment: A public hearing was held on February 16, 2010, to receive public input on the Three-Year Financial Plan for FY2011 – 2013 and multi-year Capital Improvements Program (CIP) for FY2010 through FY2014. Council now proceeds to adopt the Three-Year Financial Plan and Five-year Capital Improvement Program. Approval of this resolution includes Human Services Aid to Agencies and Community Event and Program Funding.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 16. CONSIDER AN ORDINANCE AMENDING TITLE 10 OF THE CITY CODE, ENTITLED "USE OF PUBLIC WAYS AND PROPERTY," CHAPTER 11, ENTITLED "FARMER'S MARKET," AND TITLE 4, ENTITLED "ALCOHOLIC BEVERAGES," CHAPTER 5, ENTITLED "PROHIBITIONS AND RESTRICTIONS," TO ALLOW THE FARMERS MARKET TO TAKE PLACE ON WASHINGTON STREET AND TO ALLOW THE SALE AND CONSUMPTION OF ALCOHOL AT THE FARMERS MARKET. (FIRST CONSIDERATION)**

Comment: This ordinance allows the Farmers Market to expand to Washington Street. It also allows for vendors to sell alcohol and for customers to sample alcohol. The agenda packet contains a memo from staff with more information.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 17. CONSIDER AN ORDINANCE AMENDING TITLE 5, ENTITLED "BUSINESS AND LICENSE REGULATIONS," CHAPTER 2, ENTITLED "TAXICABS," TO PROHIBIT ELECTRONIC SIGNS ON TAXICABS AND TO CLARIFY VEHICLE INSPECTION REQUIREMENTS. (PASS AND ADOPT)**

Comment: A taxicab company recently inquired whether it could place an electronic sign on the top of the vehicle roof to sell advertising. The City Code does not prohibit these signs, and although the state code prohibits "flashing lights" on vehicles, it does not define that term. In the opinion of the County Attorney, the electric sign in question is a flashing light under the state code but cautioned that a judge may disagree. Staff believes that these electronic signs are a distraction and recommends that the City specifically prohibit them on taxis. The proposed definitions of electronic and automated signs are identical to their definitions in the zoning code. The proposed ordinance also clarifies that no taxicab can pass inspection without complying with the City Code and the equipment requirements under the state code. Staff memorandum included in Council packet.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 18. CONSIDER AN ORDINANCE AMENDING TITLE 10 OF THE CITY CODE, ENTITLED "USE OF PUBLIC WAYS AND PROPERTY," CHAPTER 3, ENTITLED "COMMERCIAL USE OF SIDEWALKS," SECTION 5, ENTITLED, "USE BY MOBILE VENDORS" TO INCREASE THE VENDORS IN CITY PLAZA AND TO DECREASE THE MINIMUM HOURS REQUIREMENT. (FIRST CONSIDERATION)**

Comment: The City Code presently provides that the City may issue six permits for mobile vendors in city plaza and two permits on Iowa Avenue. Because vendors prefer to be located on city plaza due to more "foot traffic," this ordinance provides that all eight vendors may be on city plaza. The City Code also requires that vendors operate during certain hours. The ordinance decreases the minimum number of hours because vendors report limited sales during these times.

Action: \_\_\_\_\_

**ITEM 19. CONSIDER A RESOLUTION ESTABLISHING MOBILE VENDING PERMIT AND AMBULATORY VENDING PERMIT FEES AND RESCINDING RESOLUTION NO. 88-42.**

Comment: The fees for ambulatory and mobile vending permits have not been increased since 1988, and this resolution only increases the mobile vending fee. The current fee is \$750, and staff recommends increasing it to \$1,000 over two years.

Action: \_\_\_\_\_

**ITEM 20. CONSIDER A RESOLUTION AUTHORIZING THE INSTALLATION OF SPEED HUMPS ON SHANNON DRIVE BETWEEN ROHRET ROAD AND ANDREA COURT**

Comment: The residents of Shannon Drive and Andrea Court have successfully completed the City of Iowa City's approved traffic calming program. A survey of the neighborhood indicated that a 70% majority of responding households are in favor of speed humps on Shannon Drive between Rohret Road and Andrea Court. One-hundred and fifty-two households were surveyed; forty-three (28%) responded, one-hundred nine did not respond. Staff memorandum included in Council packet.

Action: \_\_\_\_\_

**ITEM 21. CONSIDER A RESOLUTION ADOPTING AN UNSUCCESSFUL OR DELAYED PROJECTS POLICY FOR CDBG AND HOME PROJECTS AND RESCINDING RESOLUTION NO. 04-68.**

Comment: In 2004, the City adopted an Unsuccessful or Delayed Projects to address what happens when CDBG and HOME recipients either are unable to utilize the funds allocated to them or unable to do so on a timely basis. The resolution adopts a new policy that provides HCDC more flexibility in addressing these issues. There is a memo from staff in the agenda packet with additional information. HCDC recommended adoption of this policy on a 5-3 vote at its February 16, 2010 meeting. Draft minutes for the meeting are in the Information packet.

Action: \_\_\_\_\_

**ITEM 22. CONSIDER A RESOLUTION AMENDING RESOLUTION NO. 97-326 ESTABLISHING A PUBLIC ART PROGRAM AND RESOLUTION NO. 02-72 SETTING THE ANNUAL ALLOCATION, TO SET A NEW ANNUAL ALLOCATION OF \$14,750 FOR PUBLIC ART.**

Comment: The City Council reviewed and approved a proposed abbreviated budget for the Public Art Program at their September 28, 2009 Work Session. All changes to the Public Art program are required to be amended or rescinded by a formal action of the City Council after a public hearing on the amendment or rescission as has occurred with the approval of the Three-year Financial Plan (FY2011 – 2013) and Five-year Capital Improvement Budget for 2010 – 2014.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 23. CONSIDER A RESOLUTION AWARDDING CONTRACT AND AUTHORIZING THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST A CONTRACT FOR CONSTRUCTION OF THE IOWA CITY SOCCER PARK RENOVATION PROJECT.**

Comment: Bids for this project were opened on Tuesday, February 23, 2010. Public Works and Engineering is reviewing the bids and will make a recommendation for award at the Monday evening work session. The construction cost estimate is \$240,000 and will be funded with General Obligation bond proceeds.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 24. CONSIDER A RESOLUTION AWARDDING CONTRACT AND AUTHORIZING THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST A CONTRACT FOR CONSTRUCTION OF THE NORTH DODGE STREET PEDESTRIAN BRIDGE OVER I-80 PROJECT [ESIM-080-6(685)243--OS-52].**

Comment: Bids for this project were opened by the Iowa Department of Transportation Tuesday, February 23, 2010 and the following bids were received:

Peterson Contractors, Inc. Reinbeck, IA	\$2,213,562.82
Iowa Bridge & Culvert, L.C. Washington, IA	\$2,310,862.48
Tschiggfrie Excavating Co. Dubuque, IA	\$2,889,488.96
Engineer's Estimate	\$3,213,000.00

Public Works and Engineering recommend award of the contract to Peterson Contractors, Inc. of Reinbeck, Iowa. The project will be funded with an Iowa DOT Economic Stimulus Grant in the amount of \$1,800,000. The City's local share will be funded with Road Use Tax proceeds, Water Revenues and Wastewater Revenues.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 25. CONSIDER A 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.**

Comment: The City has the authority under Iowa Code §364.13B to assess the nuisance abatement costs in the same manner as a property tax. This resolution allows the City Clerk to certify to the Johnson County Treasurer the abatement cost to be assessed against the property. This assessment is being pursued only after the City took many steps to resolve the matter. The City notified the home owners to abate the nuisance (for example, to remove snow from the sidewalk) and after the home owner did not take action to abate the nuisance, the City abated the nuisance and billed the owner. After being billed at least twice, these owners still have not paid the abatement costs. The City has sent a letter to the home owner giving them notice that this resolution would be on the agenda, a copy of which is attached to the resolution. No interest will be charged if the owner pays within 30 days of the first required publication. Attached as an exhibit to the resolution is a list of the properties that will be assessed and the amount that will be assessed. Both properties were deferred from the February 16 City Council meeting to provide staff an opportunity to present information. Staff memorandum included in Council packet.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 26. CONSIDER A RESOLUTION APPROVING A REQUEST FOR PROPOSAL FOR THE DEVELOPMENT OF A MULTI-USE PARKING FACILITY, WHICH REQUEST FOR PROPOSAL SETS OUT MINIMUM REQUIREMENTS, COMPETITIVE CRITERIA, AND A DEVELOPMENT AGREEMENT AND INCLUDES PROVISION FOR DISPOSITION OF CERTAIN PROPERTY OWNED BY AND LOCATED WITHIN THE CITY, WHICH PROPERTY IS CONTEMPLATED TO BE INCLUDED IN A FUTURE URBAN RENEWAL AREA OR AN AMENDMENT TO AN EXISTING URBAN RENEWAL AREA.**

Comment: The City desires to construct a multi-use parking facility providing for a parking component (approximately 600 spaces), commercial component (25,000-30,000 square feet) and a residential component (25-75 workforce housing units) located on property owned by the City (the former St. Pat’s Parish Hall site). The City believes that such a Project will assist economic development in the area consistent with Urban Renewal Laws and consequently is contemplating adopting a new urban renewal area or amending an existing area. The City desires that a private developer assist the City and its staff and architects in the design of the commercial space and workforce housing space of the proposed Project with eventual purchase by the selected developer of one or both of the commercial space and workforce housing space, in the form of separate commercial and residential condominium units. The City intends to maintain and operate the parking component itself. The Request for Proposal contains the minimum requirements each proposal submitted by a developer must satisfy in order to qualify for consideration under the competitive criteria described in the Request for Proposal and required by urban renewal laws. Staff memorandum included in Council packet.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 27. CONSIDER A RESOLUTION RATIFYING THE SETTLEMENT OF PENDING LITIGATION.**

Comment: This resolution will confirm and ratify the proposed settlement of pending litigation which is scheduled for discussion during the executive session scheduled for March 1, 2010.

Action: \_\_\_\_\_  
\_\_\_\_\_

**ITEM 28. ANNOUNCEMENT OF VACANCIES. Applicants MUST reside in Iowa City and be 18 years of age unless specific qualifications are stated.** [Staff will not publish additional notices after a period of six publications; but will continue to advertise vacancies with postings and on the Council agenda. However, no additional publication costs will be incurred.]

**Previous:**

- a) JCCOG Cool Cities Taskforce – One At-Large/Public vacancy to fill a one-year term, effective upon appointment, ending March, 2011. (Term expires for Thomas Carsner).

**APPLICATIONS MUST BE RECEIVED BY 5:00 P.M., WEDNESDAY, MARCH 17, 2010.**

- b) Youth Advisory Commission – One vacancy an unexpired term Effective Upon Appointment, Ending December 31, 2011  
One (1) person – At-Large  
(Arianna Aron resigned)  
(2 males and 2 females currently serve)

**APPLICATIONS MUST BE RECEIVED BY 5:00 P.M., WEDNESDAY, MARCH 31, 2010.**

**New:**

- c) Planning & Zoning Commission – Two vacancies to fill five-year terms May 1, 2010 – May 1, 2015. (Term expires for Wally Plahutnik and Michelle Payne) (3 males and 2 females currently serve).

**APPLICATIONS MUST BE RECEIVED BY 5:00 P.M., WEDNESDAY, APRIL 21, 2010.**

**ITEM 29. COUNCIL APPOINTMENTS. Applicants MUST reside in Iowa City and be 18 years of age unless specific qualifications are stated.**

- a) Airport Commission – One vacancy to fill a four-year term March 1, 2010 – March 1, 2014. (Term expires for John Staley) (2 males and 2 females currently serve).

\_\_\_\_\_  
\_\_\_\_\_

- b) Airport Zoning Brd of Adjustment – One vacancy to fill an unexpired term, effective upon appointment, plus a five-year term January 1, 2007 - December 31, 2011. (Carl Williams resigned) (1 male and 1 female currently serve).  

---

---
- c) Airport Zoning Brd of Adjustment – One vacancy to fill a five-year term January 1, 2009 - December 31, 2013. (Term expires for Dennis Keitel) (1 male and 1 female currently serve).  

---

---
- d) Airport Zoning Commission – One vacancy to fill a six-year term January 1, 2006 – December 31, 2011. (Term expires for Mark Anderson) (1 male and 1 female currently serve).  

---

---
- e) Airport Zoning Commission – One vacancy to fill a six-year term January 1, 2010 – December 31, 2015. (Term expires for Brian Sponcil) (1 male and 1 female currently serve).  

---

---
- f) Appeals, Board of – One vacancy to fill a five-year term January 1, 2009 – December 31, 2013, for a Mechanical Professional. (Term expires for Tim Fehr) (3 males and 1 female currently serve).  

---

---
- g) Civil Service Commission – One vacancy to fill a four-year term April 5, 2010 – April 7, 2014. (Term expires for Lyra Dickerson) (1 male and 1 female currently serve).  

---

---
- h) Historic Preservation Commission – Three vacancies, (1) at-large, (1) Summit St representative, and (1) Brown St representative, to fill three-year terms March 29, 2010 – March 29, 2013. (Term expires for Alicia Trimble, William Downing, James Ponto) (3 males and 5 females currently serve).  

---

---
- i) Police Citizens Review Board – One vacancy to fill an unexpired term, effective upon appointment, ending September 1, 2012. (Abigail Yoder resigned) (3 males and 1 female currently serve). Correspondence included in Council packet.  

---

---

- j) Telecommunications Commission – One vacancy to fill three-year terms March 13, 2010 – March 13, 2013. (Term expires for Hans Hoerschelman) (3 males and 1 female currently serve).

---



---

- k) Youth Advisory Commission – One vacancy to fill a two-year term January 1, 2009 – December 31, 2010  
One (1) person – Tate High  
(2 males and 2 females currently serve)

---



---

- l) Youth Advisory Commission – One vacancy to fill a two-year term January 1, 2010 – December 31, 2011  
One (1) person – Regina High  
(Term expires for Hannah Green)  
(2 males and 2 females currently serve)

---



---

**ITEM 30. COMMUNITY COMMENT [IF NECESSARY] (ITEMS NOT ON THE AGENDA).**

---



---

**ITEM 31. CITY COUNCIL INFORMATION.**

---



---

**ITEM 32. REPORT ON ITEMS FROM CITY STAFF.**

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

**ITEM 33. ADJOURNMENT**

*2010 Census – Iowa City Moves Forward When You Send It Back*  
[www.icgov.org/census](http://www.icgov.org/census)