

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

COMPLETE DESCRIPTION OF COUNCIL ACTIVITIES
FEBRUARY 2, 2010

Iowa City City Council regular meeting, 7:00 p.m. at City Hall. Mayor Hayek Presiding. Council Members presiding: Bailey, Champion, Dickens, Hayek, Mims, Wilburn, Wright. Absent: None. Staff members present: Helling, Fosse, Dilkes, Karr, Morris, Slattery, Rocca.

The Mayor presented Outstanding Student Citizenship Awards to Hoover Elementary School student: Fanta Traore. Students Rachel Gralnek and Izaak Perez were unable to attend.

The Mayor proclaimed Sertoma's Freedom Week – February 7, 2010, Sertoma Club President Ted Halm accepting.

Moved by Champion, seconded by Wright, that the following items and recommendations in the Consent Calendar be received, or approved, and/or adopted as presented:

Approval of Council Actions, subject to corrections, as recommended by the City Clerk: January 19, Special Council Work Session.

Receive and File Minutes of Boards and Commissions (any recommendations contained in minutes become effective only upon separate Council action): Planning and Zoning Commission - December 17, 2009; Parks and Recreation Commission - December 16, 2009;

Permit Motions and Resolutions as Recommended by the City Clerk.
Renewal: Special Class C Liquor License for Red Avocado, LLC, dba Red Avocado, 521 E. Washington St.; Outdoor Service Area for Red Avocado, LLC, dba Red Avocado, 521 E. Washington St.

Public Hearings: RES. 10-29 SETTING A PUBLIC HEARING ON FEBRUARY 16, 2010, TO DISCUSS THE PROPOSED OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2010, THROUGH JUNE 30, 2011, THE PROPOSED THREE-YEAR FINANCIAL PLAN, AND ALSO THE MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM THROUGH FISCAL YEAR 2014.

Resolutions: RES. 10-30 AUTHORIZING THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST TO THE RELEASE OF LIENS REGARDING TWO MORTGAGES FOR THE PROPERTY LOCATED 1416 PLUM STREET, IOWA CITY, IOWA; RES. 10-31, 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 LUBIN TRUST, AND TENANT MOTIF, LTD D/B/A BO-JAMES, FOR A SIDEWALK CAFÉ; RES. 10-32, 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 ONE TEN PROPERTIES, LLC, AND TENANT KMARCELLA, INC. D/B/A DONNELLY'S PUB, FOR A SIDEWALK CAFE.

Correspondence: JCCOG Traffic Engineering Planner regarding Installation of (2) NO PARKING ANY TIME signs on the north and east sides (inner curve) of

Westbury Court; JCCOG Traffic Engineering Planner regarding Installation of (2) NO PARKING ANY TIME signs on the south side of Lafayette Street between South Capitol Street and South Clinton Street; JCCOG Traffic Engineering Planner regarding Installation of (2) STOP signs on the northwest and southeast corners of the intersection of Kennedy Parkway and Camp Cardinal Road; Sanctuary City letters from David Collins, Sylvia Huyck; Deborah Sass, Mary Sturm, Joe Sturm regarding PVT Concerns [staff response included]; Jacob Butler regarding Snow; Gary Sanders regarding Calendar 2008 Salary over 85k.

Affirmative roll call vote unanimous, 7/0, all Council Members present. The Mayor declared the motion carried.

Wally Pelds, Pelds Engineering and ECO-4 Partners, updated Council on the Moss Green Urban Village project. Roger Bradley, manager of Yellow Cab of Iowa City, stated he had sent a letter to Council regarding a number of taxi issues and requested Council schedule discussion of the matter. The Mayor stated the letter had not been distributed but will be received at the next formal Council meeting. Cindy Roberts, 2034 Grantwood St., questioned when the scattered site task force recommendations would be discussed. The mayor noted the item was on the pending list and is tentatively scheduled for mid-February.

A public hearing was held on a resolution approving plans, specifications, form of contract, and estimate of cost for the construction of the Iowa City Kickers Soccer Park Renovation 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. No one appeared.

Moved by Champion, seconded by Mims, to adopt RES. 10-33, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE CONSTRUCTION OF THE IOWA CITY KICKERS SOCCER PARK RENOVATION 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. Affirmative roll call vote unanimous, 7/0, all Council Members present. The Mayor declared the resolution adopted.

A public hearing was held on an ordinance amending Title 12, entitled "Franchises", Sections 12-5-1 entitled "Electric Franchise Fee" and 12-5-2 entitled "Gas Franchise Fee" to repeal the two percent (2%) franchise fee and enact a one percent (1%) franchise fee on the gross revenue of the franchisee MidAmerican energy company derived from the distribution and retail sale of electricity and the distribution, delivery and retail sale of natural gas by MidAmerican, or other natural gas providers utilizing the distribution system of MidAmerican, to customers within the current or future corporate limits of the City of Iowa City. No one appeared.

Moved by Wilburn, seconded by Champion, that the ordinance amending Title 12, entitled "Franchises", Sections 12-5-1 entitled "Electric Franchise Fee" and 12-5-2 entitled "Gas Franchise Fee" to repeal the two percent (2%) franchise fee and enact a one percent (1%) franchise fee on the gross revenue of the franchisee MidAmerican energy company derived from the distribution and retail sale of electricity and the distribution, delivery and retail sale of natural gas by MidAmerican, or other natural gas providers utilizing the distribution system of MidAmerican, to customers within the current or future corporate limits

of the City of Iowa City, be given first vote. Affirmative roll call vote unanimous, 7/0, all Council Members present. The Mayor declared the motion carried.

A public hearing was held on a resolution approving plans, specifications, form of contract, and estimate of cost for the construction of the Iowa City Fire Station No. 4 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. No one appeared.

Moved by Bailey, seconded by Wright, to adopt RES. 10-34, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE CONSTRUCTION OF THE IOWA CITY FIRE STATION NO. 4 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. Affirmative roll call vote unanimous, 7/0, all Council Members present. The Mayor declared the resolution adopted.

Moved by Wright, seconded by Champion, that the rule requiring ordinances to be considered and voted on for final passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, the second consideration and vote be waived, and the ORD. 10-4381, AMENDING TITLE 13, ENTITLED "AIRPORTS AND AVIATION," CHAPTER 1, ENTITLED, "AIRPORT COMMISSION," TO PROVIDE THAT COMMISSION MEMBERS SHALL BE RESIDENTS OF IOWA CITY, be voted on for final passage at this time. Affirmative roll call vote unanimous, 7/0, all Council Members present. The Mayor declared the motion carried. Moved by Wright, seconded by Champion, that the ordinance be finally adopted at this time. Affirmative roll call vote unanimous, 7/0, all Council Members present. The Mayor declared the ordinance adopted.

Moved by Champion, seconded by Mims, that the 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, be given first vote. Yasser Gaber and Hatem Moustafa, Five Star Taxi, requested Council consider approving use of electronic signs on taxi cabs and distributed a copy of the proposed sign. Individual Council Members expressed their views. The Mayor declared the motion carried, 6/1, Wright voting "no".

Moved by Champion, seconded by Mims, to adopt RES. 10-35, ESTABLISHING NEW GENERAL GUIDELINES TO ASSESS FIRE DEPARTMENT FEES AND RESCINDING RESOLUTION NO. 08-61. Affirmative roll call vote unanimous, 7/0, all Council Members present. The Mayor declared the resolution adopted.

The Mayor noted the previously announced vacancies to Boards and Commissions: Airport Commission to fill a four-year term March 1, 2010 – March 1, 2014; Civil Service Commission to fill a four-year term April 5, 2010 – April 7, 2014; Historic Preservation Commission for 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; Telecommunications Commission to fill three-year terms March 13, 2010 – March 13, 2013. Applications must be received by 5:00 p.m., Wednesday, February 17, 2010. Airport Zoning Brd of Adjustment to fill an unexpired term, effective upon appointment, plus a five-year term ending December 31, 2011; Airport Zoning Brd of Adjustment to fill a five-year term January 1, 2009 - December 31, 2013; Airport Zoning Commission to fill a six-year term January 1, 2006 – December 31, 2011; Airport Zoning Commission to fill a six-year term January 1, 2010 – December 31, 2015; Appeals, Board of to fill a five-year term January 1, 2009 –

December 31, 2013, for a Mechanical Professional; Police Citizens Review Board to fill an unexpired term, effective upon appointment, ending September 1, 2012; Youth Advisory Commission to fill a two-year term for Tate High, January 1, 2009 – December 31, 2010; Youth Advisory Commission to fill a two-year term for Regina High, January 1, 2010 – December 31, 2011. Applications must be received by 5:00 p.m., Wednesday, February 24, 2010.

The Mayor noted the current vacancy for JCCOG Cool Cities Taskforce to fill a one-year term, effective upon appointment, ending March, 2011. Applications must be received by 5:00 p.m. Wednesday, March 17, 2010. 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.]

Council Member Bailey stated she was very excited about moving ahead on Fire Station # 4, noting it was an I-Jobs project and LEED certified building; and reminded citizens of the public hearing scheduled for February 16 on the FY11 City budget.

Mayor Pro tem Wilburn stated he and the Mayor are unable to attend the re-dedication of the Trinity Episcopal Church on the February 7 and asked if another Council Member would be attending. Council Member Champion will be attending.

Council Member Wright noted the annual book sale to benefit Shelter House scheduled for February 27 at the Trinity Episcopal Church; and made a plea for everyone to keep their sidewalks cleared of snow.

Council Member Mims stated she had attended her first ECICOG meeting and will prepare a report when she gets more familiar with the committee.

Mayor Hayek congratulated Police Detective Mike Smithey for being selected 2009 Officer of the Year by the department.

James Knapp, 528 Rundell St., read a letter regarding the Hazard Mitigation Plan and the Ralston Creek watershed. Moved by Wright, seconded by Dickens, to accept correspondence from Mr. Knapp. The Mayor declared the motion carried unanimously, 7/0, all Council Members present.

Moved by Wilburn, seconded by Champion, to adjourn meeting 7:45 p.m. The Mayor declared the motion carried unanimously, 7/0, all Council Members present.

Matthew J. Hayek, Mayor

Marian K. Karr, City Clerk