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 Grace at 319-356-5041, kgrace@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 June 17, 2025 - 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:

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

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 kgrace@iowa-city.org at least 24 hours before the meeting. Your materials will be presented for you.

Public Comment for items on the agenda:

Council cannot engage in discussion or debate until the appropriate time for Council discussion. However, once the commenter has left the podium, Council may ask staff to respond to a concern or question posed by the public, or to follow up with the speaker.

- 1. Call to Order
- 2. Proclamations
 - 2.a Juneteenth National Freedom Day
 - 2.b LGBTQ+ Pride Month
- 3. Consent Calendar Approval of Council Actions (subject to corrections, as recommended by the City Clerk)
 - 3.a Work Session Minutes: June 3
 - 3.b Formal Summary of Minutes: June 3
- 4. Consent Calendar Receive and File Minutes
 - 4.a Civil Service Commission: May 30
 - 4.b Climate Action Commission: May 5
 - 4.c Community Police Review Board: May 13
 - 4.d Housing & Community Development Commission: April 21 [See Recommendations]
 - 4.e Human Rights Commission: April 22
 - 4.f Human Rights Commission: May 13 [See Recommendation]
 - 4.g Planning & Zoning Commission: May 7 [See Recommendations]
 - 4.h Public Art Advisory Committee: May 1
- 5. Consent Calendar Permit Motions and Resolution (as recommended by the City Clerk)
 - 5.a Liquor License New
 - Special Class C Retail Alcohol License for a 5 Day License for Traveling Tapster LLC (June 18-22, 2025), dba Traveling Tapster LLC, 26 E. Market St.
 - Special Class C Retail Alcohol License for a 5 Day License for Traveling Tapster LLC (June 25-29, 2025), dba Traveling Tapster LLC, 26 E. Market St.
 - 3. Special Class C Retail Alcohol License for a 5 Day License for Traveling Tapster LLC (July 16-20, 2025), dba Traveling Tapster LLC, 26 E. Market St.

5.b Liquor License - Renewal

- Class C Retail Alcohol License for Iowa City Aerie No 695 Fraternal Order of EaglesIn (LC0003322), dba Fraternal Order of Eagles, Iowa city Aerie #695, 225 Hwy 1 W.
- 2. Outdoor Service Area for Iowa City Aerie No 695 Fraternal Order of EaglesIn, dba Fraternal Order of Eagles, Iowa city Aerie #695, 225 Hwy 1 W.
- 3. Class C Retail Alcohol License for Highlander Hotel LLC (LC0049092), dba Highlander Hotel, 2525 Highlander Pl
- 4. Outdoor Service Area for Highlander Hotel LLC, dba Highlander Hotel, 2525 Highlander PI
- 5. Class C Retail Alcohol License for Bread & Circuses, Inc. (LC0049689), dba Harry's Bar & Grill, 116 D. Washington St.
- 6. Class B Retail Alcohol License for Dolgencorp, LLC, dba Dollar General #8137, 41 Highway 1 W.
- 7. Class C Retail Alcohol License for Big Grove Iowa City LLC (LC0043132), dba Big Grove Brewery & Tap Room,1225 S. Gilbert St.
- 8. Outdoor Service Area for Big Grove Iowa City LLC, dba Big Grove Brewery & Tap Room,1225 S. Gilbert St.

5.c Tobacco and Device Retailer Permits - New

Resolution approving applications for retail tobacco, tobacco products, alternative nicotine products, vapor products, and device retailer permits, as required by Iowa Code 453A.47A and Iowa Code 453E.3.

5.d Tobacco and Device Retailer Permits - Renewal

Resolution approving applications for retail tobacco, tobacco products, alternative nicotine products, vapor products, and device retailer permits, as required by Iowa Code 453A.47A and Iowa Code 453E.3.

6. Consent Calendar - Resolutions and Motions

6.a Community Police Review Board Extension Request

Motion granting a 50-day extension to the Community Police Review Board for the filing of the Public Report with the City Council on Complaint #24-09.

Comment: City Code Section 8-8-7 B(9) states the Board's report to the City Council shall be completed within ninety (90) days of receipt of the Chief's or City Manager's report. The City Council may grant requests for extensions to this deadline upon good cause shown. The Board voted in open session to request an extension to the Board's deadline to file its Public Report for Complaint #24-09. Correspondence included in the Council packet.

6.b Almost Paradise Tobacco and Device Retailer Permits

Resolution amending Resolution Number 25-130 to delete Almost Paradise from the list of applicants and locations to be issued tobacco and device retailer permits effective July 1, 2025 to June 30, 2026.

Comment: Almost Paradise is no longer eligible for tobacco and device retailer permits effective July 1, 2025 to June 30, 2026 because its tobacco permit was revoked by Council at the June 3, 2025 meeting.

6.c HCDC-Staggering Terms with 7 Members

Resolution to stagger the terms of the Housing and Community Development Commission.

Comment: Council recently amended the by-laws of the Housing and Community Development Commission (HCDC) to decrease the commission from 9 members to 7. The term of each member is 3 years which was not amended, and under a 9-member commission, the terms were staggered such that 3 terms expired every year. In transitioning to a 7-member commission, there was a consensus among HCDC members at the April 21, 2025, meeting to stagger the terms such that the terms of 3 members expire in 2028, 2 in 2029, and 2 in 2030, which is what the resolution does.

6.d Cardinal Heights - Parts One and Two

Resolution accepting the work for the storm sewer, sanitary sewer, water main, street, and paving public improvements for Cardinal Heights – Parts One and Two, and declaring public improvements open for public access and use.

Comment: The construction of the storm sewer, sanitary sewer, water main, and paving public improvements for Cardinal Heights – Parts One and Two have been completed in substantial accordance with the plans and specifications on file with the Engineering Division of the City of Iowa City.

6.e Mormon Trek PCC Patching Project

Resolution accepting the work for the Mormon Trek PCC Patching Project.

Comment: Work on the project was recently completed by Feldman Concrete of Dyersville, Iowa in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	\$ 670,000.00
Project Bid Received:	\$ 542,070.00
Project Actual Cost:	\$ 598,807.84

There were three (3) change orders on the project that included pavement marking removals, pavement subbase and quantity adjustments.

End of Consent Calendar

7. Community Comment [items not on the agenda (until 7 PM)]

Public comment is intended so that members of the public may be heard by Council. Because Community Comment is for items not properly noticed on the agenda, Council cannot engage in discussion or debate due to open meetings laws.

Only in-person comments will be allowed for Community Comment. Public comment for specific agenda items, which must be directly related to that agenda item, may be made in-person or remotely.

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-North of E. Foster Rd.

Ordinance conditionally rezoning approximately 2.69 acres of land located North of E. Foster Rd. between N. Dubuque Street and Prairie du Chien Rd. from High Density Single-Family Residential with a Planned Development Overlay (OPD/RS-12) zone to High Density Single-Family Residential (RS-12) zone. (REZ25-0005) (Second Consideration)

Comment: At its meeting on May 7, 2025, the Planning and Zoning Commission recommended approval of REZ25-0005 by a vote of 7-0 subject to the condition recommended by staff regarding approval of the boundary line adjustment prior to issuance of a building permit on Lot 4 Forest Hill Estates. No development will be allowed on the subject property due to an existing conservation easement. Applicant is requesting expedited action. Correspondence included in Council packet.

8.b Rezoning-South of E. Foster Rd.

Ordinance rezoning approximately 2.69 acres of land located South of E. Foster Rd. between N. Dubuque Street and Prairie du Chien Rd. from High Density Single-Family Residential (RS-12) zone to High Density Single-Family Residential with a Planned Development Overlay (OPD/RS-12) zone. (REZ25-0006) (Second Consideration)

Comment: At its meeting on May 7, 2025 the Planning and Zoning Commission recommended approval of REZ25-0006 by a vote of 7-0. The subject project provides the stormwater management area for the 19 unit multi-family development on Lot 5 Forest Hills Estates. Applicant is requesting expedited action. Correspondence included in Council packet.

8.c Rezoning - N. Governor St.

Ordinance conditionally rezoning approximately 5.49 acres of property located between N. Dodge and N. Governor Streets from Medium Density Single-Family Residential (RS-8) zone, High Density Single-Family Residential (RS-12) zone, Medium Density Multi-Family Residential (RM-20) zone, and Multi-Family Residence (R3B) zone to High Density Single-Family Residential Zone with a Planned Development Overlay (OPD/RS-12) for approximately 0.17 acres and to Medium Density Multi-Family Residential Zone with a Planned Development Overlay (OPD/RM-20) for approximately 5.32 acres. (REZ24-0001) (Pass and Adopt) [Deferred from June3]

Comment: At its meeting on February 19, 2025 the Planning and Zoning Commission recommended approval of REZ24-0001 by a vote of 6-1 (Townsend dissent) subject to the conditions recommended by staff, as well as one additional condition related to screening the southern retaining wall to at least the S3 standard. Approval of the rezoning would allow the redevelopment of the property located at 911 N. Governor Street. The redevelopment would include the demolition of the vacant office building and the two single-family homes and the construction of two multi-family buildings totaling 84 dwelling units.

8.d Final Plat - Scarlett Point Subdivision

Resolution Approving Final Plat of Scarlett Point, a Resubdivision of Lots 8, 9, 10, 11, and 12 Bacons Subdivision, and Lots 49, 50, and 51 of Subdivision of Southeast Quarter Section 3-T79N-R6W, Iowa City, Iowa. (SUB24-0008)

Comment: Staff recommends approval of the final plat subject to approval of the legal papers by the City Attorney's Office. It is anticipated that the legal papers will be approved prior to the June 17 City Council meeting. Approval will result in the creation of three residential lots.

9. Regular Formal Agenda

9.a Electric and Gas Franchise Fees

Ordinance amending Title 12, Chapter 5, Franchise Fees to repeal the one percent (1%) franchise fee and enact a two percent (2%) franchise fee on the gross revenue derived from the distribution, delivery, and retail sale of electricity and natural gas by franchisees including MidAmerican Energy Company, 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, and to describe the purpose for the revenue collected.

Comment: Iowa City's gas and electric franchises with MidAmerican Energy Company reserve to the City the right to impose a franchise fee on MidAmerican's gross revenue from the sale of electricity and natural gas. Code of Iowa Section 364.2 allows for the collection of franchise fees in an amount not to exceed 5% of a franchisee's gross revenues. Iowa City currently has a 1% franchise fee enacted in 2010 for inspecting, supervising and otherwise regulating the MidAmerican Energy Company's gas and electric franchises, public safety including the equipping of fire, police and emergency services, and public infrastructure to support commercial and industrial economic development. To update the franchise fee rate ordinance, the City must hold a public hearing and publish a Revenue Purpose Statement specifying the purposes for

which the revenue collected from the franchise fee will be expended. This item consists of a public hearing to consider increasing the franchise fee from 1% to 2% and to modify the Revenue Purpose Statement.

- 1. Public Hearing
- 2. Consider an Ordinance (First Consideration)

9.b FY26 Stormwater Improvements Project

Resolution approving project manual and estimate of cost for the construction of the FY26 Stormwater Improvements 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 repairs associated with stormwater infrastructure at various locations throughout Iowa City. The estimated construction cost of \$350,000 is available in the Annual Storm Sewer Improvements, account #M3631.

- 1. Public Hearing
- 2. Consider a Resolution

9.c Iowa City Senior Center BAS Project

Resolution approving project manual and estimate of cost for the construction of the lowa City Senior Center BAS 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: The project involves upgrading and integrating the mechanical controls of the Heating, Ventilation, and Air Conditioning (HVAC) systems to work with the City's networked Building Automation System (BAS) in an effort to improve heating and cooling in the building. The estimated construction cost of \$278,000 is available in the Upgrade Building BAS Controls account #R4332.

- 1. Public Hearing
- 2. Consider a Resolution

9.d Mercer Pool Roof Replacement Project

Resolution approving project manual and estimate of cost for the construction of the Mercer Pool Roof 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: The project involves the removal and replacement of existing roofing to the existing roof deck, replacing waterproofing including thermal moisture protection, new roof edge sheet metal, copings, caps and associated items. The estimated construction cost of \$655,000 is available in the Mercer Pool Roof account #R4426.

- 1. Public Hearing
- 2. Consider a Resolution

9.e Water Service Agreement - Hidden Lakes

Resolution authorizing the Mayor to sign and the City Clerk to attest an agreement to provide water service to the proposed Hidden Lakes Subdivision.

Comment: Hidden Lakes is a planned subdivision in rural Johnson County that is not contiguous to the City of Iowa City and not in our identified growth area. In consultation with the Department of Natural Resources, it has been determined that there is a strong probability that the ordinary ground water source for the subdivision may be contaminated with radionuclides. This agreement allows the subdivision to tap into an existing City water main that was recently extended to the general area for similar public health reasons that emerged in an adjacent existing rural subdivision. The agreement stipulates the terms and conditions, along with fees to to be paid to the City, including an ongoing water usage rate of 1.5 times the rate for customers located in the City of Iowa City.

10. Council Appointments

10.a Housing & Community Development Commission

Housing & Community Development Commission - Two vacancies to fill unexpired terms, upon appointment – June 30, 2026 (James Pierce and Kiran Patel resigned). [Deferred from April 1, 2025 and May 20, 2025]

- Housing & Community Development Commission Housing & Community Development Commission - Two vacancies to fill three-year terms (July 1, 2025 - June 30, 2028) (Terms expire for Maryann Dennis and Horacio Borgen). [Deferred from May 20, 2025]
- 10.c Public Art Advisory Committee Public Art Advisory Committee - One vacancy to fill an unexpired term, upon appointment – December 31, 2025 (Jeremy Endsley resigned).
- 11. Announcement of Vacancies Previous
 - 11.a Announcement of Vacancies Previous Community Police Review Board - One vacancy to fill an unexpired term, upon appointment - June 30, 2027 (Jerri MacConnell resigned).

Human Rights Commission - One vacancy to fill an unexpired term, upon appointment - December 31, 2025 (Idriss Abdullahi resigned).

Applications must be received by 5:00 p.m., Tuesday, July 1, 2025.

Airport Zoning Board of Adjustment - One vacancy to fill a five-year term, January 1, 2024 - December 31, 2028 (Term expired for Heather Flynn).

Airport Zoning Commission - One vacancy to fill a 6-year term, January 1, 2024 - December 31, 2029 (Term expired for Dennis Keitel).

Board of Appeals (HVAC Professional) - One vacancy to fill an unexpired term, upon appointment - December 31, 2028 (Nicolas Yost resigned).

Historic Preservation Commission (Brown St) - One vacancy to fill a three-year term, July 1, 2025 - June 30, 2028 (Term expired for Christina Welu-Reynolds).

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 (Jefferson St) - One vacancy to fill a three-year term, July 1, 2025 - June 30, 2028 (Formerly advertised as an unexpired term and a full term - Lyndi Kiple resigned).

Historic Preservation Commission (Summit St) - One vacancy to fill a three-year term, July 1, 2025 - June 30, 2028 (Term expires for Nicole Villanueva).

Historic Preservation Commission (Woodlawn Ave) - One vacancy to fill a threeyear term, July 1, 2024 - June 30, 2027 (formerly advertised as unexpired term - Kevin Larson resigned).

Vacancies will remain open until filled.

- 12. City Council Information
- 13. Report on Items from City Staff
 - City Manager's Office
 - City Attorney
 - City Clerk
- 14. Adjourn