

**PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF CORALVILLE,
JOHNSON COUNTY, IOWA SUBJECT TO THE APPROVAL BY THE CORALVILLE
CITY COUNCIL AT A SUBSEQUENT MEETING**

A Regular Meeting of the City Council of the City of Coralville, Johnson County, IA was held at City Hall, 1512 7th Street on Tuesday, April 9, 2019 with Mayor John A. Lundell presiding and was called to order at 6:30 PM Live and recorded webcasts of Coralville City Council Meetings are available online at www.coralville.org/coralvision.

The following Council Members were present: Foster, Gross, Gill, Dodds, Goodrich.

The following staff was present: City Attorney Don Diehl; City Attorney Kevin Olson; City Administrator Kelly Hayworth; Assistant City Administrator Ellen Habel; City Engineer Dan Holderness; Building & Zoning Official Jim Kessler; Director of Finance Tony Roetlin; Police Chief Shane Kron; Water Superintendent Kevin Callahan; Fire Chief Orey Schwitzer; Communications Specialist Jon Hines; City Clerk Thorsten J. Johnson.

Motion by Gill, seconded by Goodrich to approve the agenda with the removal of items 10 b,c and d and item 15. Motion carried.

Votes are 5 Ayes for Motions, Resolutions and Ordinances unless otherwise noted.

Mayor John A. Lundell proclaimed April 7-13, 2019 as “National Library Week.” Library Director Alison Ames Galstad accepted the proclamation and thanked the Mayor, Council and citizens for their continued support. This community has always understood the importance of a Library ever since its humble beginnings in the mid-1960s and they are no less passionate about it today. Public libraries level the playing field in our community by providing a place for anyone to access information and resources and they are the cornerstones of our democracy. This year’s theme for “National Library Week” is “Libraries equal Strong Communities” which we really see in Coralville. Ames Galstad invited everyone to visit the library this week and reminded them there is fine amnesty for overdue materials and free replacement library cards all week. Lundell complimented Ames Galstad and her staff on doing a good job and being an asset to the community.

Resident Vicki Bellmore with Bailing out Benji addressed the Council during citizen comments about passing a progressive law about companion animal sales and outlawing the sale of puppy mill animals and limiting stores to the humane adoption of animals from shelters and rescues. Bellmore provided the Council and staff with information on ordinances that work from the Humane Society and discussed other issues and facts regarding puppy mills in Iowa. Bellmore encouraged the Council and staff to contact her if they had any questions and left her number on the sign in sheet. Bellmore noted there are no locations in Coralville selling puppy mill animals, so no businesses will be impacted but it will keep future businesses from doing this.

Resident William Hawbaker of 3701 2nd Street #324 addressed the Council during citizen comments about a large wooden guard rail forcing pedestrians and bikers onto a busy Highway 6. Hawbaker also noted the lack of sidewalks on Coral Ridge Avenue to get from the Mall to places north and lack of sidewalks coming from Highway 6 by Costco along Commerce Drive. Lundell asked for Hawbaker’s contact information so staff can get back to him. Lundell stated the City will contact the Iowa Department of Transportation (DOT) about the wooden guard rail to see what can be done. Lundell and City Administrator Kelly Hayworth noted the Iowa DOT doesn’t allow sidewalks to cross the exits and entrances to the Interstate so they can’t do anything about sidewalks from the mall heading north other than having tunnels underneath like on the east side of the mall. Olson noted Costco’s Development Agreement agrees to build a sidewalk along its property up to Ewalt Pond when there is a sidewalk coming from the west to connect it to, so it will happen eventually.

EXCESS JAMES STREET RIGHT-OF-WAY VACATION ~ PUBLIC HEARING

Olson reported this is for the vacation of a sliver of property originally set aside as James Street right-of-way but it is not needed and now the City wants to vacate the property to the owner of Lot 1 Coral Galleria, Part Three for development.

Lundell declared this the time for a public hearing on proposal to dispose of an interest in real property generally located north of James Street between Coral Ridge Avenue and 25th Avenue. There were no public or written comments. Lundell closed the public hearing.

RESOLUTION NO. 2019-50

Resolution approving the disposal of certain real property located on Lot 1, Coral Galleria, Part Three, Coralville, Iowa was introduced by Foster, seconded by Gross. A roll call vote was taken. Resolution declared adopted.

IOWA RIVER LANDING – EAST 2ND AVENUE UTILITY IMPROVEMENTS PROJECT 2019 ~ PUBLIC HEARING

Lundell declared this the time for a public hearing on the plans, specifications, estimate of cost and form of contract for the Iowa River Landing – East 2nd Avenue Utility Improvements Project 2019. There were no public or written comments. Lundell closed the public hearing.

RESOLUTION NO. 2019-51

Resolution approving the plans, specifications, estimate of cost and form of contract for the Iowa River Landing – East 2nd Avenue Utility Improvements Project 2019 was introduced by Gross, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

Holderness reported two bids were received at 11:00 AM today and the low bid is from Dave Schmitt Construction Co., Inc. for \$343,143.90. The low bid is 37% below the engineer's estimate of \$548,794.00. Staff recommends accepting the low bid.

After the Resolution No. 2019-52 was read, Hayworth explained this bid will be subject to an agreement for payment by the University of Iowa Hospitals and Clinics.

RESOLUTION NO. 2019-52

Resolution accepting bids and awarding the Construction Contract for the Iowa River Landing – East 2nd Avenue Utility Improvements Project 2019 was introduced by Gill, seconded by Dodds. A roll call vote was taken. Resolution declared adopted.

RESOLUTION NO. 2019-53

Resolution approving the Contract and bond documents for the Iowa River Landing – East 2nd Avenue Utility Improvements Project 2019 was introduced by Dodds, seconded by Goodrich. A roll call vote was taken. Resolution declared adopted.

STORM WATER SERVICES

RESOLUTION NO. 2019-54

Resolution approving a Professional Services Agreement with HR Green, Inc. for Storm Water Services was introduced by Goodrich, seconded by Foster. A roll call vote was taken. Resolution declared adopted.

SUPPLEMENTAL DESIGN STANDARDS & SPECIFICATIONS

After the resolution was read, Holderness explained he attended a statewide APWA conference in Des Moines where they encouraged inclusion of a fee structure with the design standards and specifications, which is the only change from two weeks ago. Based on the SSC ruling that came out recently he recommends the City charge the allowable maximum of \$500.00 for application fees plus \$100.00 for each small wireless facility beyond five; and \$270.00 per small wireless facility per year for all recurring fees including any possible ROW access fee or fee for attachment to a municipally-owned structure in the ROW. Holderness added the right to conduct a future Cost Recovery Study to document any actual costs to the City, so they can do a cost recovery of any additional costs. Councilperson Mitch Gross asked if the same thing is happening in North Liberty and Iowa City. Holderness responded yes; they, along with several communities, are trying to beat the April 15th deadline.

RESOLUTION NO. 2019-55

Resolution adopting supplemental design standards and specifications to the Iowa Statewide Urban Design and Specifications ("SUDAS") for pole-mounted utility facilities was introduced by Foster, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

LOT 1, CEDARS FOURTH ADDITION

ORDINANCE NO. 2019-1002 An ordinance amending the Coralville Zoning Ordinance, the same being Ordinance No. 664, as previously amended, rezoning certain property located within the corporate limits of the City of Coralville, Johnson County, Iowa, and generally known as Lot 1, Cedars Fourth Addition from C-2, Arterial Commercial District, to C-PUD 2, Commercial Planned Unit Development Two District, was introduced by Gross, seconded by Foster for 2nd consideration. A roll call vote was taken. Motion carried.

Motion to collapse the third reading of Ordinance No. 2019-1002. <REMOVED>

ORDINANCE NO. 2019-1002 An ordinance amending the Coralville Zoning Ordinance, the same being Ordinance No. 664, as previously amended, rezoning certain property located within the corporate limits of the City of Coralville, Johnson County, Iowa, and generally known as Lot 1, Cedars Fourth Addition from C-2, Arterial Commercial District, to C-PUD 2, Commercial Planned Unit Development Two District, for 3rd and final consideration. <REMOVED>

Resolution approving the C-PUD B Site Plan for Lot 1, Cedars Fourth Addition, Coralville, Iowa. <REMOVED>

IOWA RIVER LANDING PARKVIEW

ORDINANCE NO. 2019-1003 An ordinance amending the Coralville Zoning Ordinance, the same being Ordinance No. 664, as previously amended, rezoning certain property located within the corporate limits of the City of Coralville, Johnson County, Iowa, and generally known as Auditor's Parcel 2018111; Part of Outlot B, Iowa River Landing, Part 5; and Part of Outlot C, Coralville Hotel & Convention Center First Addition from C-2, Arterial Commercial District, to R-PUD 1, Residential Planned Unit Development One District, was introduced by Gill, seconded by Dodds for 2nd consideration. A roll call vote was taken. Motion carried.

REDHAWK

ORDINANCE NO. 2019-1004 An ordinance amending the Coralville Community Plan to reflect certain property generally known as a 22.91-acre portion of SE ¼ - SW ¼ Section 24-T80N-R7W, Coralville, Iowa to be designated as Medium Density Residential Use in place of Corridor Commercial Use, was introduced by Dodds, seconded by Gross for 2nd consideration. A roll call vote was taken. Motion carried.

MULTIPLE PROPERTIES LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CORALVILLE SOUTH OF I-80, WEST OF 1ST AVENUE, NORTH OF 5TH STREET AND EAST OF 20TH AVENUE PLACE

After the Ordinance was read, Councilperson Jill Dodds reported Jeff Conner made an argument last meeting to remove his property from the rezoning and sent an extensive letter with researched information to make his point to the Council. Dodds stated Connors argument persuaded her to exclude his property and that of the other duplex and church next to him from the rezoning. Councilperson Tom Gill stated he is voting in favor of the ordinance as it stands. The purpose of this rezoning is to get rid of islands of nonconforming zoning. This is about looking 20 years in the future and doing what is best for the community. Gill has received a lot of positive comments and they have done a lot of work on this. Gill added he agrees to disagree with Conner's arguments and this is not doing any harm to his property. Gross reported he looked at the property and discussed it with both Conner's and read the letter. Even though the Council has done a lot of hard work on this he doesn't feel exempting Conner's property and the property to the west creates an island and undoes the Council's intent so he will motion to exempt them. Councilperson Meghann Foster thinks the Council can make this one worthwhile exemption and keep with the spirit of the ordinance and what they are trying to accomplish. Foster would like to have criteria for exemptions so not everyone can ask for it. This neighborhood is unique in that it is surrounded by duplexes and multifamily homes and this property is already a duplex, unlike those properties that are single-family homes that should not be duplexed. Councilperson Laurie Goodrich stated this exemption is still compatible with the neighborhood. Hayworth asked why the Council would exempt the church next to these properties since it is already allowed in R-1 Districts and will only be affected if it is torn down or converted. Gross agreed it did not need to be exempted.

Motion by Gross seconded by Dodds to remove the rezoning of 917 A & B and 2004 20th Avenue Place so they can remain R-2, Two Family Residential District. A voice vote was taken: 4 Ayes and 1 Nay. Motion carried.

ORDINANCE NO. 2019-1005 An ordinance amending the Coralville Zoning Ordinance, the same being Ordinance No. 664, as previously amended, rezoning certain property located within the corporate limits of the City of Coralville, Johnson County, Iowa, and generally known as multiple properties South of I-80, West of 1st Avenue, North of 5th Street and East of 20th Avenue Place; from R-2, Two Family Residential District, to R-1, Single Family Residential District; from R-3, Mixed Housing Residential District, to R-1, Single Family Residential District; and from R-3, Mixed Housing Residential District, to R-2, Two Family Residential District, was introduced by Dodds, seconded by Gross for 2nd consideration as amended. A roll call vote was taken. Motion carried.

TRANSIT TITLE VI PROGRAM PLAN

After the resolution was read, Gill clarified this is required by the Federal Government every three years.

RESOLUTION NO. 2019-56

Resolution approving the Coralville Transit Title VI Program Plan was introduced by Foster, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

IOWA ECONOMIC DEVELOPMENT AUTHORITY FINANCIAL ASSISTANCE APPLICATION
<REMOVED>

PROPERTY/LIABILITY/AUTO INSURANCE RENEWAL

After the Resolution No. 2019-57 was read, Human Resource/Risk Manager Mike Funke reported this year's renewal premium minus vouchers ended being \$9,000.00 more than last year and he recommends accepting the proposal.

RESOLUTION NO. 2019-57

Resolution approving Iowa Communities Assurance Pool (ICAP) as the City's insurance carrier was introduced by Gross, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

RESOLUTION NO. 2019-58

Resolution appointing Michael A. Funke and Kelly J. Hayworth as the individuals to represent the City with the Iowa Communities Assurance Pool was introduced by Gill, seconded by Goodrich. A roll call vote was taken. Resolution declared adopted.

After the Resolution No. 2019-59 was read, Funke explained this covers the City's costs if there was a breach of its computer system. You are required to report the breach to those affected, follow up with them, and provide credit checks every so often. It also covers social frauds which are becoming more difficult to detect, like using City e-mail addresses to send out convincing invoices or requests for information or City employees receiving and falling for them. This is for an additional \$1,000,000.00 of cyber liability coverage. ICAP only provides \$250,000.00. Foster asked if there is any protection for the City's social media accounts. Funke replied yes if they provided a vehicle to defraud people.

RESOLUTION NO. 2019-59

Resolution approving Travelers as the City's cyber liability insurance carrier was introduced by Dodds, seconded by Gross. A roll call vote was taken. Resolution declared adopted.

MOTION BY GILL TO APPROVE CONSENT CALENDAR items a-bb inclusive:

- a) Approve minutes for the March 26, 2019 Coralville City Council Regular Meeting.
- b) Approve **new** Class C Liquor License with Sunday Sales for **Peking Buffet**. Eff. 04/09. (Changing Ownership)
- c) Approve Class C Beer Permit with Sunday Sales for **La Lupita**. Eff. 04/21.
- d) Approve Class C Liquor License with Carryout Wine, Catering Privilege, Outdoor Service and Sunday Sales for **Vesta**. Eff. 05/01.
- e) Approve Class C Liquor License with Outdoor Service and Sunday Sales for **Konomi, Inc.**: Eff. 05/01.
- f) Approve Class E Liquor License with Class B Wine Permit (Carryout Wine), Class C Beer Permit (Carryout Beer) and Sunday Sales for **Costco Wholesale #1111**: Eff. 05/01.
- g) Approve Class C Liquor License with Brew Pub, High Proof Brew Pub, Outdoor Service and Sunday Sales for **Backpocket Brewing, LLC**: Eff. 05/05.
- h) Approve payment to **Coralville Marriott Hotel & Conference Center** for FF&E invoice from WebrestaurantStore for kitchen garbage disposal and control (P.O. #02082019KIT): \$1,915.22.
- i) Approve payment to **Pipe Pro** for Coralville Marriott Hotel and Conference Center to replace gas valve and install new style ignition module and pilot assembly with indicator light on the bottom convection oven (P.O. #02122019KIT): \$1,276.60.
- j) Approve payment to **Aureon Network Services** for Oakdale Blvd. And University Parkway communication conduit (#IC Build): \$68,779.13. (This is for the re-issuing of a check for an invoice #IC Build approved February 12, 2019 under the company's previous name Network Services.)
- k) Approve payment of Iowa River Landing Invoice as approved by Kapa Advisors, LLC to **Watts Group Construction** for building Evolve Juice Bar north demising wall (07/03/2018): \$21,486.00.
- l) Approve payment to **Design Force Corporation** for the Coralville Marriott Redesign Project (#5552): \$2,100.00.
- m) Approve payment to **Conference Technologies, Inc.** for Audio System Replacement for the Coralville Marriott Redesign Project Phase 1(#JC116864): \$121,253.38.
- n) Approve payment to **Terracon Consultants, Inc.** for

- i) 2018 Road & Utility Construction Testing (#TB50136) \$2,110.00
(Includes \$416.00 for testing for Old Hickory Lane Storm Sewer Improvements.)
- ii) EPA Brownfield Grant (#TB72649) \$626.25
- iii) Brownfields Service for 3800 2nd Street (Goodwill) (#TB72639) \$480.00
- iv) Century Link LSI at 802 Quarry Road (#TB72598) \$1,783.75
- v) Wastewater Treatment Plant Improvements (#TB72917) \$2,833.00
- o) Approve payment to **Veenstra & Kimm, Inc.** for:
 - i) Highway 6 & I-80 Water Main Relocation (#2) \$1,075.00
 - ii) Oakdale Sewer Manhole Inspection (#2) \$3,483.28
 - iii) 2017 WTP NPDES Permit Renewal (#4) \$51.00
 - iv) WWTP Improvements 2017 Resident Review (#9) \$10,317.54
 - v) WWTP Improvements 2017 General Services (#11) \$10,800.00
- p) Approve payment to **HR Green, Inc.** for:
 - i) IRL Arena Storm Water Design Review & IRL Misc. Engineering (#124978) \$5,295.02
 - ii) Flood Operations Manual (#124952) \$33,701.00
 - iii) IRL Infrastructure Improvements 2nd Ave. 2018 (#124964) \$70,971.45
 - iv) IRL Sanitary & Grading Project 2017 (#124976) \$638.75
 - v) 1st Avenue Improvements – 6th St. to 9th St. Design (#124969) \$6,433.44
 - vi) UIHC Walkway Construction Observation (#125059) \$590.04
 - vii) 1st Avenue Gate Controls (#124820) \$330.00
 - viii) 1st Street Contamination – Peterson’s Salvage (#124819) \$1,103.50
- q) Approve payment to **DeLong Construction, Inc.** for IRL Construction Access Roads (#1715): \$13,937.56.
- r) Approve payment to **Impact7G** for Iowa River Floodwall Wetland Mitigation, Construction Observation, Planting and Maintenance (#13765): \$86.25.
- s) Approve payment to the **U.S. Geological Survey** for the annual bill of support, operation and maintenance of six streamgaging stations and one raingage in the metropolitan area (#90702825): \$11,160.00.
- t) Approve payment to **Creative Software Services, Inc.** for:
 - i) Coral Ridge Avenue Improvements Phase 2 (#TT_2119) \$1,039.03
 - ii) Coral Ridge Avenue Improvements Phase 2 (#17261) \$617.90
- u) Approve payment to **Thompson Truck & Trailer** for Solid Waste 2006 International 4000 Series truck repair (#R101034219:01): \$20,294.98.
- v) Approve payment to **The Northway Corporation** for:
 - i) Emergency repairs in Water Well #9 (#15583) \$32,690.15
 - ii) Chemical treatment and cleaning of Water Well #9 (#15584) \$21,750.00
- w) Approve payment to **Artic Insulation** for insulation work for the Water Treatment Improvements Project (#J3Q6160): \$4,966.00.
- x) Approve Change Order #6 to **Miron Construction** for Water Treatment Plant Improvements Project: +\$5,253.06.
- y) Approve Pay Application #9 to **Miron Construction** for Wastewater Treatment Plant Improvements 2017: \$1,529,334.64
- z) Approve bid and payment to **City Tractor of North Liberty, IA** for two 2019 John Deer HPX615E Gators for the Parks Department: \$25,289.40. (Each gator is \$12,644.70 and this is the State of Iowa bid.)
- aa) Approve bid and contract with **JDM Concrete, LLC** for Sidewalk Project 2018 (Zone 4): \$3,030.00. (The engineer’s estimate was \$3,580.00 and this repairs existing sidewalks and completes missing sidewalks north of I-80; east of 12th Ave.; south of Oakdale Blvd. and west of 1st Ave.)
- bb) Approve Bill List for April 9, 2019.

Seconded by Dodds. A roll call vote was taken. Motion carried.

City Administrator Kelly Hayworth noted it is officially “Be Nice to Your Attorney Day.” Hayworth announced as part of 4thFest the City is honoring the 90th Anniversary of the Fire Department and they

are working with the Fire Department on several activities during the year. This includes a reception at City Hall from 4:30 PM to 6:30 PM on May 9th and all of the Fire Department's volunteers will be invited along with the general public. Fire Chief Orey Schwitzer and former Firefighter Rex Brandstatter will put together a program on the department's history. In May there will be an Open House at the Fire Training Facility with demonstrations of live burn training, car fire training and car extrication. More information on these and other events will be available on the City's Facebook page and "The Beat" newsletter. Saturday is the 4thFest Basket Auction starting at 4:30 PM at Brown Deer Golf Club and Sunday is the Annual Firefighter Pancake Breakfast from 7:00 AM to Noon at Fire Station #1.

Mayor John A. Lundell reported this year is also the 25th Anniversary of the Iowa Firefighter Memorial off of 1st Avenue north of the Interstate. They will recognize the Anniversary at the Annual Memorial Service in June. The Iowa Association of Firefighters is having their mid-year meeting this Saturday at the Coralville Marriott Hotel & Convention Center. Lundell encouraged people to attend the 4thFest Basket Auction and bid on some great baskets including the traditional Mayor's Cake. All the money goes to 4thFest. On Thursday, April 18th there will be an Xtreme Arena Open House from 4:30 PM to 6:30 PM and these will be held monthly in various locations to provide updates on the project. Lundell warned people to obey the speed limit this spring because the Police Department gives tickets and not warnings. A ticket for driving 10 mph over the speed limit after court costs are added could cost you over \$135.00.

City Attorney's Don Diehl and Kevin Olson had nothing to report.

Councilperson Meghann Foster thanked everyone who attended the first Global Potluck hosted by the Coralville Community Food Pantry at the Library last Friday. It was attended by 300 people who enjoyed wonderful food from around the world and celebrated all the wonderful cultures and diversity Coralville has to offer. Foster invited people to attend Coralville Community Food Pantry's "Music for Meals" fundraiser this Friday at North Ridge Pavilion from 7:00 PM to 9:00 PM and Keith Jones and she will be hosting it. Music will be provided by the "Dandelion Stompers."

Councilperson Mitch Gross reported he had breakfast with presidential candidate Beto O'Rourke and when Gross handed him his business card, O'Rourke commented the Coralville Logo was one of the best he ever saw. Gross attended the Employee Appreciation Dinner last Friday and appreciated all the hard work they do for the City. Gross noted the Library really does bring the community together whether it is hosting a Community Meal; teaching new residents English; or providing the free streaming service "Canopy." Gross encouraged everyone to attend tomorrow's 2:00 PM showing of the documentary "Ex Libris: The New York Public Library" at the Library and popcorn will be provided.

Councilperson Tom Gill noted "Sweeney Todd" will be performed at West High on Thursday, Friday and Saturday nights.

Councilperson Jill Dodds congratulated Native Grass Vegetation Specialist Josh Worrell on being named Outstanding Professional by the Iowa Urban Tree Council and the Iowa Department of Natural Resources for being active in promoting, preserving, planning and planting Coralville's urban forest for eleven years. Worrell has helped develop a response plan for the emerald ash borer, helped develop the Altmaier Family Park, and coordinates planting days with local school youth and volunteer organizations. Dodds announced Divots is now open for lunch from 11:00 AM to 2:00 PM and will be open for full service on April 23rd.

Councilperson Laurie Goodrich thanked everyone for all the good news and she had nothing to add.

Motion by Gil seconded by Foster to adjourn at 7:27 PM. Motion carried.

John A. Lundell, Mayor

Thorsten J. Johnson, City Clerk