

**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, January 10, 2022 with Mayor Meghann Foster presiding and was called to order at 6:30 PM. Recorded webcasts of this meeting are on Mediacom 118-8 and on-demand at www.coralville.org/coralvision.

The following Council Members were present: Knudson, Gross, Huynh, Jones, Goodrich.

The following Staff were present: City Attorney Don Diehl; City Attorney Kevin Olson; City Administrator Kelly Hayworth; Deputy City Administrator Ellen Habel; City Engineer Scott Larson; Police Lieutenant Deb Summers; Production Assistant Annabel Hendrickson; and City Clerk Thorsten J. Johnson.

Motion by Gross, seconded by Jones to approve the agenda. Ayes: 5. Motion carried.

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

Chair Dennis Leytem of the Citizen's Community Policing Advisory Board gave a Quarterly Board Report during community comments. Leytem reported they welcomed Amy Gosnel to the board at their last meeting in November, which is the first time in a year and a half they have had a full board. Leytem noted they accomplished most of the activities they were charged with when first formed. Leytem noted a reduction in public input so the board voted to reduce meetings to one very other month and reporting to the Council two times a year unless something comes up. Leytem added they could call for a special meeting if it is needed. Three board members plan to attend the Johnson County Community Police Academy. It was noted the Academy meets on the same day as two of the Board Meetings but they should still have a quorum for those meetings. The board recommended posting four policies to the Police page of the City website. These were the Use of Force, Bias Based Policing, Standards of Conduct and 1st Amendment Assembly Policy. The board will begin recommending potential training opportunities for the Police Department even though it will be difficult to schedule with the department being understaffed. Leytem noted the board is concerned their has been a lack of public involvement and it might seem the board is not active. The board would like to put an activity report in the *Connection*, like he is giving tonight, to let people know what the board is doing. Leytem reported the board got access to the 2021 Traffic Data Report power point presentation and those members who were not at the meeting to hear the original report were able to view the presentation. After viewing the power point presentation those members had questions about the report and the attendees couldn't remember the answers given during the presentation. In order to do a better job next year, the board would like access to the power point before the presentation so they can be better prepared and they would like to record the presentation for review afterwards due to the amount of detailed information given and gain a better understanding of the data afterwards. They plan to continue the discussion at the next couple of meetings. They elected new officers at the November meeting and Kathy Hotsenpiller will be the next Chair and Guillermo Moreles will be the Vice Chair. Foster thanked Leytem for all of his work and the overview of all of their work.

PARKING FEES

It was noted this ordinance will raise parking fines to \$25.00 and if not paid in 30-days the fine will increase by \$5.00. The ordinance will take effect on January 15, 2023.

Ordinance No. 2022-1016 An Ordinance amending Parking Fees, was introduced by Knudson, seconded by Huynh for 3rd and final consideration. A roll call vote was taken. Ordinance declared adopted after its publication as required by law.

PENALTIES FOR REPEAT OFFENDERS

It was noted this ordinance will set penalties for repeat offenders and allow the City to immediately abate nuisance properties if the same violation occurs again within 24-months.

Ordinance No. 2022-1017 An Ordinance amending Chapter 50 of the Code of Ordinances of the City of Coralville regarding setting standard penalties for repeat offenders, was introduced by Gross, seconded by Knudson for 3rd and final consideration. A roll call vote was taken. Ordinance declared adopted after its publication as required by law.

IOWA RIVER LANDING RETAIL LEASE

After the resolution was read, Councilperson Hai Huynh asked City Attorney Kevin Olson to explain what triple-net means in the Lease. Olson explained triple-net is when the renter pays all of the real estate taxes, insurance and cam fees in addition to their rent. Sometimes leases charge renters a gross rent and the property owner pays the taxes, insurance and cam fees. Huynh asked if the tenant or City determines the terms of the lease. City Administrator Kelly Hayworth responded the City sets the terms of the lease and the tenant either agrees to those terms or tries to negotiate changing them. Huynh asked how many of the Iowa River Landing leases are triple-net. Hayworth replies most of them. Olson added they only offered a gross rent on the one-year licenses and the last lease holders who had those now have long term leases that are triple-net. Councilperson Mike Knudson asked why the square foot rental rate is lower for this lease than some of the others. Hayworth responded stores renting smaller spaces pay a higher square foot rate than stores with more space. It was noted the owners of the Blue Agave Mexican Restaurant wish to enter into a 10-year Lease Agreement with two five-year options to renew for and the public hearing will be February 14, 2023.

RESOLUTION NO. 2023-1

Resolution of intent to dispose of an interest in real property and solicit alternate proposals for the leasing of 211 E. 9th Street, Suite 135, Coralville, Iowa, was introduced by Huynh, seconded by Jones. A roll call vote was taken. Resolution declared adopted.

CORAL CROSSING EIGHTH ADDITION

After the resolution was read, Knudson asked what happens if the Council doesn't accept the public improvements. Olson responded the City has an agreement with the developer that they will construct these improvements and when they are completed the City will release the lien on the property so they can sell the lots. This resolution is a formality and the City has already made sure the improvements meet the standards and the developer has finished the punch list. Knudson asked if this is similar to the process that happened for the 1st Avenue project where they had issues with the stormwater drain. Olson responded no this is for a private project and the 1st Avenue project was a public project. The City is accepting these public improvements and the developer is providing a 5-year bond for the paving and 2-year bonds for the sanitary sewers and water mains.

RESOLUTION NO. 2023-2

Resolution accepting public improvements constructed on Coral Crossing Eighth Addition, Coralville, Iowa, was introduced by Jones, seconded by Goodrich. A roll call vote was taken. Resolution declared adopted.

LIMITED AUTHORIZATION TO PERFORM

After the resolution was read, Hayworth reported a full contract with M.A. Mortenson Company to start construction will be ready for approval at the next Council Meeting. Knudson asked if this is the \$15 million project to renovate all of the rooms and what part of the budget is this being paid out of. Hayworth responded it is and the City will issue bonds for the project that will be paid mostly from hotel revenues. Hayworth added they currently have a construction loan with West Bank that will need to be refinanced when the project is done. It was noted this authorization is not to exceed \$626,000.00.

RESOLUTION NO. 2023-3

Resolution approving Limited Authorization to Perform with M.A. Mortenson Company, was introduced by Goodrich, seconded by Huynh. A roll call vote was taken. Resolution declared adopted.

WEST LAND USE CENTRAL TRUNK SEWER PHASE 1 TREE FELLING PROJECT

It was noted the public hearing will be January 24, 2022.

RESOLUTION NO. 2023-4

Resolution setting a public hearing on the plans, specifications, estimate of cost and form of contract for the West Land Use Central Trunk Sewer Phase 1 Tree Felling Project, was introduced by Knudson, seconded by Gross. A roll call vote was taken. Resolution declared adopted.

ANNUAL URBAN RENEWAL REPORT

After the resolution was read, Knudson noted he was trying to determine where the City is as compared to previous years in the Urban Renewal Areas and it is not clear looking at the Annual Urban Renewal Report. Olson responded the report only includes added debt in Urban Renewal Areas and does not look back at previous years so it is not a progress report. Hayworth stated there will be a report and discussion with the City's financial advisor in February which will not only look at the finances of the TIF Urban Renewal areas from the past and present but will also include future projections.

Motion by Gross, seconded by Huynh to approve and accept the Annual Urban Renewal Report, Fiscal Year 2022. Motion carried.

UTILITY RESILIENCE BRIC GRANT

Deputy City Administrator Ellen Habel reported this grant will help relocate power and communications lines from overhead in back yards to underground in front yards in the MidAmerican Energy service area which is generally the area south of I-80. This will help utility companies to better protect and access utility lines after high wind events. Currently their response to outages can be delayed because of difficulties with entering backyards especially if the ground is covered with tree debris, ice or snow. This delay inconveniences residents who need power to run their heating, air conditioning, refrigerators and medical equipment. From 1996 to 2010 there were 23 high wind events with winds over 40 mph and the August 2020 derecho caused power outages for multiple days. Moving utility lines in the MidAmerican Service Area to the front yard and burying them protect them more from severe storms and improve utility reliability for over 9,000 Coralville residents. The City is seeking funding for \$13,720,000.00 for this project through FEMA's Build Resilient Infrastructure and Communities with assistance from Iowa Homeland Security and if the grant application is successful the city will pay 20% of construction costs for \$3,920,000.00 and the project as a whole will be \$19,500,000.00. MidAmerican Energy Company is supportive of this project and have been the City's partner from the beginning. They have indicated a willingness to contribute to the City's share of the costs but they have not arrived at a final number. There will be a public information meeting at 5:00 PM on Tuesday, January 17th at City Hall and a mailer to notify residents in the proposed project area was sent out yesterday. If the project is funded there will be more meetings and information sent out. Foster thanked Habel for the overview.

After the resolution was read, Foster thanked Habel for all of her work and noted it is very important to have minimal interruption of utility services especially with more people working from their homes. Foster encouraged everyone to come to the public information meeting at City Hall to learn more. Foster asked when the work will begin. Habel responded the application will be turned in later this month; notification if the City will receive funding or not will happen in November; if funding is approved it will take a little time to more fully develop the project so work could start in the summer of 2024 and end in the fall of 2026. There is a possibility of completion before the fall of 2026 but they want to give enough time in case there

are complications. Foster confirmed that they will finalize the project area later in the process and come up with a plan. Habel agreed and added the project will take on small portions at a time and restore disturbed areas. The only outages anticipated is when they do the switch over from the old lines to the new one which will be planned and scheduled ahead of time and residents will be notified. Knudson asked how the \$3,690,000.00 local share of the project will be paid for. Knudson also asked if there is a ballpark figure for MidAmerican's contribution. Habel responded the MidAmerican contribution has not been decided yet. Originally the project was for a 10-block area, but the City has been encouraged to include the whole MidAmerican Service area, which is promising. Hayworth thinks the City will need to bond its portion of the contract and pay it back over years. Hayworth noted this project will include the proposed development southeast of the 1st Avenue and 2nd Street intersection, which would cost over \$3,000,000.00 if the City and developer had to pay for it without this grant. From that standpoint this project will cover the whole service area and cost the City close to the same amount as a small portion of the service area. Knudson asked if the project could be paid for out of the TIF funds. Hayworth responded parts of the project could but the neighborhood areas are not in a TIF district. Hayworth added another consideration is the benefit of doing the streets and sidewalks in some locations at the same time. Eighth and Ninth Avenue were two areas City Engineer Scott Larson and he have looked at because of sewer, water and manhole issues on those streets. If they receive this funding they will figure out the cost of redoing everything on whole blocks at the same time they move and bury the utility lines instead of coming back in 5 years and tearing up the neighborhood again. Knudson asked if the City approves this now do they lose any leverage with MidAmerican Energy to contribute since they are a major beneficiary of this project with reduced maintenance and a brand new system? Hayworth responded MidAmerican has been very good to work with on this and he doesn't think approving this now will be detrimental to negotiating their contribution. An example of their other contributions are not replacing the overhead lines along 5th Street when they learned the City was going to improve the street. Because they saved money and needed to replace their equipment, they are not charging the City to bury their lines. If this were somewhere else the City would have to pay that cost.

RESOLUTION NO. 2023-5

Local Match Resolution for FEMA's Building Resilient Infrastructure and Communities Program, was introduced by Gross, seconded by Goodrich. A roll call vote was taken. Resolution declared adopted.

After the second resolution was read, Hayworth thanked Habel and Larson for working on this noting this has not been done with these funds before so this is a first case scenario or pilot program and has required a lot of effort just to get to this point even with all of the State's help.. Foster also appreciated all of the work.

RESOLUTION NO. 2023-6

Resolution authorizing the submission of an application and designating the Deputy City Administrator as the City's designated representative for FEMA's Building Resilient Infrastructure and Communities Grant, was introduced by Huynh, seconded by Jones. A roll call vote was taken. Resolution declared adopted.

MOTION BY HUYNH TO APPROVE CONSENT CALENDAR items a-z inclusive:

- a) Approve minutes for the December 20, 2022 Coralville City Council Special Meeting.
- b) Approve **Temporary Premise Update Application** for Class C Retail Alcohol License with Catering Privilege and Outdoor Service for **Coralville Hyatt Regency Hotel & Conference Center**. Eff. 01/28. (Remove coverage of exhibit hall area for BrrrFest.)
- c) Approve **new** 5-day Class C Retail Alcohol License for **BrrrFest**. Eff. 01/28. (Covers exhibit hall area of Coralville Hyatt Regency Hotel & Conference Center for day of event.)
- d) Approve Special Class C Retail Alcohol License with Outdoor Service and Living Quarters for **Homewood Suites by Hilton Coralville – Iowa River Landing**. Eff. 01/22. (Going forward this year the Iowa ABD has made some changes to their Beer Permits and Liquor Licenses. I will make note of some of these changes when they come up in the approvals. Here the title of the licenses has changed a little and now the Sunday

Sales Privilege is included with the license and not a separate privilege so I will not be including it from now on.)

- e) Approve Class C Retail Alcohol License for **Best Western Plus**: Eff. 01/24.
- f) Approve Class C Retail Alcohol License with Outdoor Service for **Mellow Mushroom**: Eff. 02/02.
- g) Ratify Class C Retail Alcohol License with Outdoor Service for: Eff. 1/7.
- h) Ratify automatic renewal of Class E Retail Alcohol License for **Hy-Vee Food Store**: Eff. 01/13. (Last Council meeting I did not realize Hy-Vee Food Store applied to have their Class E Alcohol License automatically renewed next year. This means the Council will no longer need approve renewal of their alcohol license every year as long as the comply with Iowa Alcoholic Beverage Division guidelines, keep their bond up to date, and fees paid on time. If a violation occurs, they will need to follow the normal renewal process with Council approval. Also, Class B Wine Permit and Class C Beer Permits are an inherent privilege with Class E Retail Alcohol Licenses as the ability to sell beer and all types of wine with no additional fees or permits.)
- i) Approve payment to **Ferguson Waterworks #2516** for water meters (#0429475): \$36,720.00.
- j) Approve payment for **Library Furniture International, L.L.C.** for the Library Teen Area renovation:
 - i) Power Source (#8207) \$441.27
 - ii) Shelving, Casework and a Study Nook (#8208) \$43,656.87
- k) Approve payment to **Global Public Safety – TAC 10** for Annual TAC 10 Maintenance (#TACMN0000210): \$61,652.00.
- l) Approve payment to **Integrated Data Products, Inc.** for Annual OnBase Software Maintenance (#3051): \$16,740.22.
- m) Approve payment to **GE Digital LLC** for GE SCADA Software Renewal Invoice (#17001100049747): \$10,043.50.
- n) Approve payment to the **East Central Iowa Council of Governments (ECICOG)** for CDBG Rehabilitation Grant Administration (#9912): \$150.00.
- o) Approve payment to **gWorks** for the final invoice for gWorks SimpleCity GIS application (#17376): \$5,700.00.
- p) Approve payment to **CDB Utility Contractors** for relocating the underground fiber ring conduit relocation near 1st Avenue and I-80 to maintain the fiber ring between 1st Avenue and the Water Plant (#7803): \$26,591.00.
- q) Approve payment to **HR Green, Inc.** for Interior Drainage Modeling – Pump Stations 5, 8 & 10 (#158922): \$416.25.
- r) Approve payment to **MMS Consultants, Inc.** for Oakdale Boulevard Extension Jones Boulevard West – Final Design (#34962): \$16,450.00.
- s) Approve payment to **Shive-Hattery, Inc.** for 5th Street Improvements between 12th and 20th Avenue (#1219270-13): \$14,508.64.
- t) Approve payment to **Veenstra & Kimm, Inc.** for:
 - i) Water Plant Filter Media Replacement – General Services (#1) \$190.00
 - ii) Kempf Lift Station Abandonment – Design Services (#2) \$7,442.13
 - iii) Oakdale Boulevard Force Main Improvements – Design Services (#3) \$10,074.00
 - iv) Well 10 Recasing – General Services (#3) \$152.00
 - v) Well 15 Improvements – General Services (#5) \$76.00
 - vi) West Land Use Central Trunk Sewer – Lower Reach (#8) \$14,810.50
 - vii) West Land Use Central Trunk Sewer – Upper Reach (#9) \$27,783.23
 - viii) Well 15 Improvements – Design Services (#11) \$2,189.00
- u) Approve payment to **HotSpot Parking Inc.** for Hotel & City Dashboard Annual Services (#10000002): \$10,000.00.
- v) Approve attendance of Chris Kapfer to Basic SWAT in Johnston, IA from April 30-May 5, 2023: \$1,806.60.
- w) Approve attendance of Braydon Ellis & Lexi Goddard to ILEA Basic Academy in Johnston, IA from January 2 to April 21, 2023: \$19,300.00.

- x) Approve attendance of Clayton Penrod to the Executive Leadership Institute in St. Francis, WI from April 30 to May 5, 2023: \$1,873.20.
- y) Approve the May 2022 and June 2022 Treasurer's Reports.
- z) Approve Bill List for January 10, 2022.

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

City Administrator Kelly Hayworth had nothing to report at this time.

Mayor Meghann Foster reported Monday is Martin Luther King Jr. Day and there will be a unity march beginning at 9:45 AM at East Dale Plaza in Iowa City and ending at Mercer Park with a program running from 10:00 AM to Noon. There will be a lunch served with service projects happening concurrently. Foster announced Winterfest is Saturday, January 21st from 10:30 AM to 4:00 PM in the Iowa River Landing. There will be an Eagle Watch, a lot of outdoor activities including snowshoeing, an ice harvesting demonstration, snow painting, carriage rides and a lot of other fun stuff. Foster thanked the Winterfest Committee for all of their hard work and noted there will also be some Coralville 150th Anniversary events.

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

Councilperson Mike Knudson reported there was a good discussion at the Joint Entities Meeting last night about the local option sales tax. Knudson supports having the local option sales tax which the Iowa City Community School District proposed to pay for pre-K for all the students in the district. Knudson proposed the City include spending their portion of the funds to help transit, support sustainability including solar projects, geothermal use, the planned recycling center, anything education and affordable housing.

Councilperson Mitch Gross asked why Coralville does not have Martin Luther King Jr. Day off as a City. Hayworth responded it is not included in the union contracts. Gross asked why they could not add it to the existing City holidays. Hayworth responded there is nothing stopping them but there is the cost to of some employees receiving additional holiday pay and still paying employee wages to have the day off. Gross asked about exchanging it for Columbus Day. Hayworth responded Columbus Day is not a City holiday. President's Day and Veterans Day are City holidays. Gross asked if staff could find out if other area communities have Martin Luther King Jr. Day off. Gross added if the City cannot take the day off he would like to see some City sponsored programming to observe it rather than treating it as a normal work day. Gross addressed comments on social media unfairly blaming the arena for the way the Iowa City and West High basketball game tickets were printed. The comments suggested the larger print for the boys game and not the girls game showed a premium focus on the boys game. Gross explained as the parent of three female athletes this is clearly not the case and it is just how the program is set up to print tickets. The boys game happened to be the first event and the program prints the first event larger than the second event, if the girl's game took place first it would have been in the larger print. Gross stated the arena has been a leader in women's sports having supported women's wrestling and hosting the Iowa High School Volleyball Tournament. Gross reported residents have reached out to the Council about the 55-mph speed limit on 1st Avenue so he drove it last night and agrees the speed limit is too fast on that road with the curves and the number of Coralville students who drive to Liberty High School. Gross would like the City to take action quickly to reduce the road's speed limit. Foster thanked Gross for commenting on the high school ticket controversy and added the City does not print tickets for the arena Foster noted Iowa sanctioning high school girl' wrestling was announce at the arena earlier this year and the arena hosted the Wrestling World Cup where women's teams also competed.

Councilperson Hai Huynh announced the Coralville Community Food Pantry will move operations to their new building at 804 13th Avenue on Saturday, January 21st. This is near Northwest Junior High School and the Recreation Center and is on the bus line. They will be open at the new location on Saturday, January 21st from 10:30 AM to 1:00 PM. Huynh noted in addition to the Martin Luther King Jr. Day activities in Mercer Park, the Iowa City the Iowa Children's Museum is hosting a Martin Luther King Jr. Day event with free admission for all from 9:00 AM to 1:00 PM. They will have service opportunities like putting together activity kits to be donated to community partners to distribute to families they serve. The Iowa Children's Museum will also be collecting high need items for the Coralville Community Food Pantry.

Councilperson Keith Jones appreciated Gross's and Foster's comments about the West High and City High basketball situation but he wanted to let people to know he found the basketball games to be a very enjoyable event and hopes the school district is able to schedule events at the arena going forward because it is a wonderful atmosphere and venue to see our kids play at.

Councilperson Laurie Goodrich had nothing to add. Foster asked if there are any 150th Anniversary activities taking place at Winterfest. Goodrich replied yes, they are helping with the ice harvesting demonstration. Goodrich noted the Winterfest committee wants to get people outside and will have activities like eagle watching at the Iowa River pedestrian bridge in the morning along with several outdoor activities in the Iowa River Landing. Some of the stores and the Arena will also have activities. Goodrich commended the Coralville Recreation Department on doing a wonderful job organizing Winterfest and encouraged people to contact them if they want to volunteer.

Gross wanted everyone to know for several years Library Director Alison Ames Galstad and he organized a reading of Martin Luther King Jr.'s "I have a Dream" speech that was well attended but they had to stop because of the copyright. Gross would like the City to find a similar event to commemorate Martin Luther King Jr. Day.

Motion by Huynh, seconded by Goodrich to adjourn at 7:14 PM.

Meghann Foster, Mayor

Thorsten J. Johnson, City Clerk