

**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, July 13, 2021 with Mayor John A. Lundell 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: Foster, Gross, Huynh, Dodds, Goodrich.

The following Staff were present: City Attorney Don Diehl; City Administrator Kelly Hayworth; City Engineer Scott Larson; Finance Director Tony Roetlin; Police Chief Shane Kron; Director of Parks & Recreation Sherri Proud; Communications Specialist Jon Hines, and City Clerk Thorsten J. Johnson.

Motion by Gross, seconded Goodrich by to approve the agenda. Ayes: 5. Motion Carried.

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

Mayor John A. Lundell proclaimed July 2021 as "Park and Recreation Month." Director of Parks & Recreation Sherri Proud accepted the proclamation and thanked the Mayor and Council for their support. Proud noted this proclamation is being read all across the Country this July with the National Parks & Recreation Association celebrating our local parks and recreation networks. They celebrated Friday by distributing 197 Subway gift cards to every park and recreation employee to thank them for working for the City this summer because they know they had a lot of employment opportunities. They also encouraged them to stay with them this fall as they have lots of jobs available. They encouraged anyone who wants to take life guarding too.

Resident Judy Clinton addressed the Council during citizen comments about her concerns for the new location of the Farmer's Market in the Iowa River Landing. Clinton thanked Coralville for doing good job in past with the Farmer's Market in S.T. Morrison Park where they had plenty of shade, nearby parking, handicap parking, seating, a place to see neighbors. It provided fresh produce for people without vehicles and attracted a multicultural crowd with multiple generations of families. Clinton stated the new location in the Iowa River Landing it has been really hot with no shade, has no seating, the parking is far away and there is no nearby handicap parking. Clinton has not seen her neighbors at the new location because of the accessibility for those without cars or being able to easily get purchases back to their vehicles. She is concerned about the neighbors who depended on the market for fresh food that do not have vehicles. Clinton will continue to go to the Market in the Iowa River Landing to support the vendors but would like it if parking was closer and it was more accessible. Councilperson Jill Dodds responded they discussed this issue at the last Council Meeting during the work session and are looking for solutions.

Long-time resident Rob Rogers addressed the Council during citizen comments about a neighbor who lives at 711 5th Avenue, which is one of three properties the City just sold. His neighbor was given 30-days to move, which is not enough time to find a new place and he is afraid of becoming homeless. This resident is a 12-year veteran, his wife recently had brain surgery, he has two little kids and is an all-around good guy and neighbor. Rogers asked the City to make the information on the sale of this property more transparent and explain how they can kick a person out in just 30-days. Rogers asked the City to help this resident and he offered to help the City to protect this resident and others from becoming displaced. Lundell asked City staff to follow-up on this issue with Rogers and see what the City can do.

HEARTLAND DRIVE PAVEMENT REPAIR 2021 ~ PUBLIC HEARING

Lundell declared this the time for a public hearing on the plans, specifications, estimate of cost and form of contract for the Heartland Drive Pavement Repair 2021. There were no written or public comments. Lundell closed the public hearing.

RESOLUTION NO. 2021-121

Resolution approving the plans, specifications, estimate of cost and form of contract; ordering bids, setting a date for the receiving of bids; and directing posting of the bid letting; all for the Heartland Drive Pavement Repair 2021, was introduced by Foster, seconded by Goodrich. A roll call vote was taken. Resolution declared adopted.

PART OF LOT 7, FOLSOM'S SUBDIVISION

After the ordinance was read, Councilperson Meghann Foster noted she was not here last meeting to voice her concerns on how to keep the area inclusive and affordable for both residential and commercial tenants and the displacement of residents. Foster is glad there will be continued discussions about her concerns and will support the land use change tonight. Councilperson Mitch Gross and Councilperson Hai Huynh clarified the reason there is no site plan is because this is just for the land use. Huynh asked about the Ho's apartment units and if there is a way to regulate the development plan to be submitted. City Administrator Kelly Hayworth responded there was not and there have been two proposals already to develop the area for commercial use with no residential space. This can legally be done with the current zoning. Gross asked if there is a way for the City to require relocation fees be paid to those being displaced. Hayworth responded there wasn't a mechanism in place to require that. Huynh asked if a developer can buy the land and do whatever they want. Hayworth responded yes as long as they meet the zoning requirements. Huynh asked if the City can create an ordinance to protect people from being displaced. Hayworth didn't know if that would be legal. Foster asked if they can stipulate renters receive adequate notice during the planning process. Hayworth responded no. Gross asked if a signed lease is binding on the new property owner if the land is sold. City Attorney Don Diehl responded yes as long as there is nothing in the lease stating otherwise.

ORDINANCE NO. 2021-1010 An ordinance amending the Coralville Community Plan to reflect certain property generally known as Part of Lot 7, Folsom's Subdivision, Coralville, Iowa to be designated Mixed Use in place of Corridor Commercial Use, was introduced by Gross, seconded by Goodrich for 2nd consideration. A roll call vote was taken. Motion carried.

CONSTRUCTION SERVICES AGREEMENT

It was noted this agreement is not to exceed \$41,920.00.

RESOLUTION NO. 2021-122

Resolution approving a Construction Services Agreement with Wagner Construction Services, was introduced by Huynh, seconded by Gross. A roll call vote was taken. Resolution declared adopted.

JAMES STREET RAILROAD CROSSING

After the resolution was read, Huynh asked how soon this study could take place. Hayworth responded the study could begin immediately and will take about two months. It was noted this agreement is not to exceed \$19,500.00.

RESOLUTION NO. 2021-123

Resolution approving a Proposal with Shoemaker-Haaland Professional Engineers for the James Street Railroad Crossing Study, was introduced by Dodds, seconded by Huynh. A roll call vote was taken. Resolution declared adopted.

CRANDIC FLOOD PROTECTION PROJECT MUSSEL MONITORING

It was noted this is agreement is not to exceed \$27,708.50.

RESOLUTION NO. 2021-124

Resolution approving a Consulting Services Agreement with EcoAnalysts, Inc. for the final mussel monitoring report required for the CRANDIC Flood Protection Project, was introduced by Goodrich, seconded by Gross. A roll call vote was taken. Resolution declared adopted.

BONDS

After the resolution was read, Finance Director Tony Roetlin reported the first resolution is the first step to refinance the Brown Deer Golf Course. Item b is a step further on refinancing the CCPA as the public hearing has already been held. Lundell asked if this will save money. Roetlin responded this will lower interest rates, saving interest dollars and not involve new money. It is estimated to save over \$1.25 million in present value dollars.

RESOLUTION NO. 2021-125

It was noted the public hearing will be July 27, 2021.

Resolution fixing a date of meeting at which it is proposed to take action for entering into one or more amendments to a Lease Purchase Agreement thereto in connection with the Brown Deer Golf Course, was introduced by Foster, seconded by Huynh. A roll call vote was taken. Resolution declared adopted.

RESOLUTION NO. 2021-126

Resolution making a determination to issue Annual Appropriation Tax Increment Revenue Refunding Bonds, setting parameters for the sale, approving Purchase Agreements, Official Statements and other related documents, and authorizing the call of outstanding bonds, was introduced by Gross, seconded by Dodds. A roll call vote was taken. Resolution declared adopted.

OPTION AGREEMENTS

After the resolution was read, Councilperson Jill Dodds asked Hayworth to explain what the Workforce Housing Tax Credit is. Hayworth explained this is a popular State program developers who spend \$200,000.00 or less to construct residential units and receive a State tax credit. Originally to apply it was a first come first serve program but now it is a competitive process. The program was so popular there was a backlog of projects so the legislature gave the program funds to fill the back log this year and make some more funds available to cities. The qualifying projects need to be a minimum of 4 units and can be either rentals or owner occupied. The State approves the tax credits and the City contribution is \$1,000.00 per unit. Foster and Hayworth clarified the City's contribution can be covered by project related City expenditures in lieu of actual dollars.

RESOLUTION NO. 2021-127

Resolution approving an Option Agreement with IRL Parkview Investments, LLC., was introduced by Huynh, seconded by Goodrich. A roll call vote was taken. Resolution declared adopted.

RESOLUTION NO. 2021-128

Resolution approving an Option Agreement with 6 & 6th Developers, LLC., was introduced by Dodds, seconded by Gross. A roll call vote was taken. Resolution declared adopted.

WORKFORCE HOUSING TAX CREDITS

After the Resolution No. 2021-129 was read, Huynh asked if there are any stipulations for the City's pledge of in-kind support. Hayworth responded there have not been but the State's requirement is the units be built for \$200,000.00 or less. Hayworth thought, but did not know for sure, the State assumes this

will make rents more affordable. Foster noted there is a set of criteria the State looks at like vacancy and market rates. Hayworth added the State gives preference to City's where housing is high in demand.

RESOLUTION NO. 2021-129

It was noted the City pledged in-kind support of \$1,000.00 per residential unit for 49 units.

Resolution of support of the Application of Coralville Housing Group II, LLC for funding via the Workforce Housing Tax Credit Program and pledging City monies for the same, was introduced by Goodrich, seconded by Foster. A roll call vote was taken. Resolution declared adopted.

After Resolution No. 2021-130 was read, Councilperson Laurie Goodrich stated she is grateful for the City employees being on top of this as these Workforce Housing Credits just became available. Foster added the deadline is July 19th. Hayworth noted this is very competitive and it is unlikely all of these applications will succeed. Coralville has had 900 units built using these credits. There should be more funds available next year because the backfill has been totally funded this year.

RESOLUTION NO. 2021-130

It was noted the City pledged in-kind support of \$1,000.00 per residential unit for 80 units.

Resolution of support of the Application of BBCO, LLC for funding via the Workforce Housing Tax Credit Program and pledging City monies for the same, was introduced by Foster, seconded by Goodrich. A roll call vote was taken. Resolution declared adopted.

After Resolution No. 2021-131 was read, Hayworth noted three of these projects have been planned for a long time and their costs have increased due to the high demand for lumber. Holiday Court and the Town Center One have had a \$1,000,000.00 increase in material costs and the IRL Parkview II material costs increased by \$1,500,000.00. If they do not get these credits some of the developers may wait for costs to come down or cancel their projects.

RESOLUTION NO. 2021-131

It was noted the City pledged in-kind support of \$1,000.00 per residential unit for 68 units.

Resolution of support of the Application of IRL Parkview Investments, LLC for funding via the Workforce Housing Tax Credit Program and pledging City monies for the same, was introduced by Gross, seconded by Dodds. A roll call vote was taken. Resolution declared adopted.

RESOLUTION NO. 2021-132

It was noted the City pledged in-kind support of \$1,000.00 per residential unit for 100 units.

Resolution of support of the Application of 6 & 6th Developers, LLC for funding via the Workforce Housing Tax Credit Program and pledging City monies for the same, was introduced by Huynh, seconded by Gross. A roll call vote was taken. Resolution declared adopted.

After Resolution No. 2021-133 was read, Hayworth asked amend the resolution to 185 units for this phase as the 300 is the total units for all of this project's phases. Foster asked if they would still get to use, if approved, the Workforce Housing Tax Credits if the Council changed the site plan. Hayworth responded only if the number of units remain the same and can be built for \$200,000.00 or less. Otherwise, they would have to file an amendment.

RESOLUTION NO. 2021-133

It was noted the City pledged in-kind support of \$1,000.00 per residential unit for 185 units.

Resolution of support of the Application of Rael Development Corporation/RDC Fund XIII Investments, LLC for funding via the Workforce Housing Tax Credit Program and pledging City monies for the same, was introduced by Dodds, seconded by Goodrich amending the number of units to 185. A roll call vote was taken. Resolution declared adopted.

MOTION BY DODDS TO APPROVE CONSENT CALENDAR items a-ee inclusive:

- a) Approve minutes for the June 22, 2021 Coralville City Council Regular Meeting.
- b) Approve Retail Cigarette/Tobacco/Nicotine/Vapor Permit Applications for Fiscal Year 2021. (See Memo)
- c) Approve **new** Class C Liquor License with Sunday Sales, Outdoor Service and Catering for **Foundry Food + Tap**: Eff. 08/01.
- d) Approve **new** Class E Liquor License with Class B Wine Permit, Class C Beer Permit and Sunday Sales for **Hy-Vee Gas #1**: Eff. 07/01.
- e) Approve Class B Liquor License with Catering Privilege and Sunday Sales for **Coralville Marriott Hotel & Conference Center**: Eff. 07/24.
- f) Approve Class C Liquor License with Sunday Sales for **Red Lobster #6258**: Eff. 07/28.
- g) Approve Class C Beer Permit with Sunday Sales for **Deli Mart #4**: Eff. 08/01.
- h) Approve Class C Liquor License with Catering Privilege, Outdoor Service and Sunday Sales for **Tribute**: Eff. 08/01.
- i) Approve Class C Liquor License with Sunday Sales for **Applebee's Neighborhood Grill & Bar**: Eff. 08/03.
- j) Approve Class E Liquor License with Class B Native Wine Permit and Sunday Sales for **Bootleggin Barzinis**: Eff. 08/03.
- k) Approve Special Class C Liquor License (Beer/Wine) with Sunday Sales for **Exotic India**: Eff. 08/05.
- l) Approve Class C Liquor License with Sunday Sales for **Aramark**: Eff. 08/06. (This is for the Xstream Arena.)
- m) Approve payment to **Cahoy Pump Service, Inc.** for wastewater pump repairs (#25708): \$20,325.00.
- n) Approve payment to **Impact7G** for the for Clear Creek Mitigation Bank (#19984): \$1,247.75.
- o) Approve payment to **Terry-Durin Company** for LED Street Lights for 1st Avenue (#80350-00): \$12,735.00.
- p) Approve payment to **D & K Products** for Brown Deer Golf Course supplies:
 - i) Invoice #0518772-IN \$20,096.00
 - ii) Invoice #0518773-IN \$21,135.00
- q) Approve payment to **Yamaha Motor Finance Corp., U.S.A.** for 60 Golf Cars and 1 YU2AS BEVDLX 7 1 YU2AS Golf Car (#744431): \$48,671.00.
- r) Approve payment to **Streb Construction Co., Inc.** for 9th Street and 19th Avenue Patch (#201901457): \$40,285.50.
- s) Approve payment to the **Johnson County Historical Society** for:
 - i) Town Hall Management Fee (#64) \$5,000.00
 - ii) Museum & Schoolhouse Appropriation (63) \$17,500.00
- t) Approve payment to **EDC, Inc.** for Vitality 2024 Capital Campaign (#11816): \$20,000.00.
- u) Approve payment to **Shoemaker & Haaland Professional Engineers** for the Iowa River Trail (#019376.00-12): \$1,940.00.
- v) Approve payment to **Veenstra & Kimm, Inc.** for:
 - i) Well #10 Re-casing (#3) \$1,676.14
 - ii) Well #15 Preliminary Siting (#9) \$543.00
 - iii) WWTP Biosolids Transfer Pump Replacement (#1) \$124.00
- w) Approve payment to **Iowa Interstate Railroad LLC** for WestCor Drive Railroad Crossing panels (#725987): \$18,496.00.
- x) Approve payment to **EOR, Inc.** for consulting services for:
 - i) 5th Avenue Storm Sewer (#01147-0007-1) \$22,459.50

- ii) Central Park Biscuit Creek Channel (#01147-0008-1) \$4,397.75
- y) Approve Pay Application #2 (Retainage Amount) to **Maxwell Construction Inc.** for the City Hall West End Sewer Line Replacement Project: \$4,012.23. (Project accepted as completed on 03-24-2020 but retainage was never paid so it can be paid without waiting 30-days.)
- z) Approve Change Order #10 to **Langman Construction, Inc.** for 1st Avenue Reconstruction – 6th Street to 9th Street: +\$25,506.04.
- aa) Approve Change Order #1 to **Northway Well & Pump Co.** for Well #10 Re-casing: +\$0.00.
- bb) Approve Pay Estimate #29 to **Miron Construction Co., Inc.** for the Wastewater Treatment Plant Improvements: \$164,002.50.
- cc) Approve three Conduit Lease Agreements with Arvig. One microduct on the E. 9th Street conduit between 1st Avenue and 212 E. 9th Street for \$416.23 per year; and one microduct under the west leg of the E. 9th Street and E. 2nd Avenue roundabout for \$69.92 per year; and one microduct along the east side of 1st Avenue between E. 9th Street and the northeast quadrant in exchange for Arvig populating the City conduit with three microducts.
- dd) Approve attendance of Clayton Penrod to FBI LEEDA Supervisor Leadership Institute in O'Fallon, MO from 8/15-20/2021: \$1,796.64.
- ee) Approve Bill List for July 13, 2021.

After the motion was made Goodrich asked about Change Order #1 in item aa being \$0. City Engineer Scott Larson explained the change order was a change in the specifications and did not cost extra.

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

City Administrator Kelly Hayworth thanked 4thFest Committee members for a successful well attended three-day event. Hayworth noted they work year-round planning these events and they have begun planning for Coralville's sesquicentennial that will be in two years. Hayworth announced the Iowa River Trail connection is now open and he encouraged everyone to see and use it. People are excited to have the new trail and felt much safer not having to use 1st Avenue. There will be a ribbon cutting in August.

Mayor John A. Lundell reported 4thFest was very successful this year and it couldn't be done without a lot of planning and help from City and community volunteers and business donations which help pay for the free concert and fireworks. Lundell announced the fourth 5th Street Social will be August 14th. Lundell reminded everyone Coralville is hosting the Iowa League of Cities conference September 15th through 17th and there is an expectation that they all attend and help make sure this is a successful event.

City Attorney Don Diehl had nothing to report.

Councilperson Hai Huynh was excited to join her Coralville Community Food Pantry colleagues in reopening for in person service for the first time in 17 months. Huynh thanked Mayor John A. Lundell, City Administrator Kelly Hayworth and members of the Council who came out to celebrate this milestone. Huynh acknowledged this is not the end of the pandemic and life is going to be harder for some families but she hoped for a safer and more just future for members of our community. Huynh asked the Council to prioritize American Rescue funds going towards the most vulnerable citizens who fell through the cracks in the last year and she looks forward to working with the Council, staff and community to develop a plan to use this \$3 million to provide the most impact to our community.

Councilperson Mitch Gross apologized for not being at the Food Pantry celebration and noted how the Council has supported the Pantry with him being a founding board member, Councilperson Jill Dodds' heavy involvement and now Huynh being on the Board. Gross never would have thought in the beginning how the pantry would be where it is today. Gross thanked Clinton and Rogers for their comments earlier in the meeting and noted it is nice to hear from residents in person again. Gross stated they do listen to their comments and will get back to them with a response. Gross thought the community meal was the best part of 4thFest this year and he thanked Police Chief Shane Kron and Fire Chief Orey Schwitzer and

their departments for hosting it. Gross announced a new App for the Library will be available soon. You will be able to check out books with your phone and a lot of other things. Gross noted more information on the App will be released soon. Gross thanked Genesis Church for their annual donation to the Fire Department noting that even though they do not pay property taxes they do want to give back to the community. Gross expressed his condolences to the family of Dr. Martin Sokoll who passed away. Gross knew Dr. Sokoll as a fellow parishioner at St. Thomas More and as an early advocate for LGBTQ+ rights before all the anacronyms were added to that phrase. Dr. Sokoll was instrumental in organizing Iowa City's Pride Fest and unfortunately will not be here to attend Coralville's first Pride Fest in September.

Councilperson Jill Dodds stated the pandemic is not over yet and she encouraged people to get vaccinated. Dodds is surprised Iowa has not reached the 50% vaccinated mark yet because she thinks Iowans are smarter than that. Dodds congratulated the Food Pantry on their reopening and noted not only do they help feed people in need they have also helped vaccinate the community.

Councilperson Meghann Foster was grateful to be back in person at 4thFest and watching the fireworks. Foster enjoyed getting out to take donations and speaking with those attending the fireworks. Foster reported a lot of people ask if they could donate online and she met a person from Boise, Idaho biking across the country who heard about how great Coralville's fireworks display was and dropped by. Foster thought they could get more donations if there was an online option. Foster thanked Police Chief Shane Kron, Fire Chief Orey Schwitzer, Councilperson Laurie Goodrich, the Police and Fire Departments and everyone who helped with the community meal. It was great to see everyone celebrating being able to get together again. Foster asked for a time frame for when the Council can discuss a wage theft resolution and hate crime ordinance.

Councilperson Laurie Goodrich thanked employees and volunteers for three days of 4thFest activities. Goodrich enjoyed the Food Pantry reopening with her daughter-in-law and she looked forward to the 5th Street Social and the Iowa League of Cities conference.

Motion by Gross, seconded by Foster to adjourn at 7:23 PM. Motion carried.

John A. Lundell, Mayor

Thorsten J. Johnson, City Clerk