

# AGENDA

**City of University Heights, Iowa  
City Council Meeting**

Tuesday, July 13, 2010

7:00 – 9:00 P.M. Location: University Athletic Club

Meeting called by Mayor Louise From

Time	Topic	Owner
7:00	Call to Order Meeting	Roll Call Louise From
		Approval of Minutes June 8, 2010 Steve Ballard
7:10		Review of Council Appointment Process
		-Consideration of motion to accept letter of resignation from Council Member Amy Moore Louise From
7:30		-Appointment to fill council vacancy created by resignation
		a) Acknowledgement of written materials filed b) oral presentations by applicants c) public input d) Council vote -Administration of Oath of Office for appointed council member
	Public Input	Public Comments
	<u>Administration</u>	
	-Mayor	<a href="#">Mayor Report</a> Louise From
	-City Attorney	<a href="#">Legal Report</a> - Consideration of Resolution No. 10-16 allowing Council Members and Mayor to participate in and vote at council meetings by telephone or other electronic means Steve Ballard
	-City Clerk	<a href="#">City Clerk Report</a> Chris Anderson
	<u>Committee Reports:</u>	
	<u>Finance</u>	Committee Report Treasurer's Report/ Payment of Bills Brennan McGrath Lori Kimura
	<u>Community Protection</u>	Committee Report - Consider hiring 3 reserve officers Police Chief report Mike Haverkamp Ron Fort
	<u>Streets and Sidewalks</u>	Streets & Sidewalks Report Engineer Report -Consider fence height and fence set backs at restaurant remodel of former Taste on Melrose location. Pat Yeggy Josiah Bilskemper Paul Moore
	<u>Building, Zoning &amp; Sanitation</u>	Committee Report Zoning Commission Report -Zoning Meetings scheduled: July 15 and July 22, 7:00pm Location: UAC -Tax increment financing- (TIF) presentation by Maxwell Construction, L.C. Stan Laverman Pat Bauer
	<u>E-Government</u>	Committee Report - Web Page updates: Melrose Wide Sidewalk and meeting schedules Mike Haverkamp

<b>Time</b>		<b>Topic</b>	<b>Owner</b>
	<u>Johnson County Council of Governments (JCCOG)</u>	Committee Report	Louise From
<b>8:55</b>	Announcements		Anyone
<b>9:00</b>	Adjournment		Louise From

**Next Regular Council Meeting: Tuesday, August 10, 2010**  
**Location: University Athletic Club (UAC)**

## **July 2010 – Mayor’s Report**

### **June 23-**

Johnson County Emergency Management Commission Meeting. Highlights:  
The Communication Center is on track to open on June 29<sup>th</sup> at 3 A.M. Action was taken to formally adopt outdoor siren test day to the first Wednesday of each month at 10am starting July 7, 2010. Annual review/evaluation of EMA Coordinator, Dave Wilson was discussed in closed session. A three percent raise was approved.

### **June 27-**

University Heights Garden Walk was held by the University Heights Garden Club. What an amazing event due to the efforts of Scott and Carol Ann Christensen and Pat Yeggy!! Special thanks for organizing this wonderful event for the City!!! A beautiful Sunday afternoon brought hundreds of people to visit the gardens!

### **June 29<sup>th</sup>-**

Meeting with Pat Bauer & Steve Ballard to discuss application received to Steve Ballard’s office on June 24 by Maxwell Construction, L.C. Pat Bauer also discussed an Alternative Proposal that he was recommending to Zoning Commission for Council consideration. All information is available on the city website.

### **July 13-**

I will be attending the Welcome Reception this afternoon for Mr. Steve Murley, the new Superintendent for ICCSD.

### **75<sup>th</sup> Anniversary Celebration on Sunday, August 29<sup>th</sup>.**

A Parade will begin at 2:00pm starting in the Horn School parking lot continuing along Koser Ave. to Sunset St. then north to Melrose Ave, continue east on Melrose Ave. ending at the Bridge near the city office. Anyone interested in being in the parade, needs to contact Louise From.

The Chautauqua will follow the parade at approx. 3:00pm. The big tent will be located on Paul Moore’s lot at Melrose/Golfview (near the city garden) Anyone interested in performing under the big tent should contact Mike Haverkamp.

Yummy food & drinks will be for sale by the new restaurant formerly the “Taste on Melrose” at the Chautauqua.

A ribbon cutting ceremony for the Melrose Ave. wide sidewalk is planned after the music at approximately 5:30pm.

Volunteers are still needed for all events.

Pre-orders are now being taken for **University Heights 75<sup>th</sup> Anniversary T-shirts**.

Order forms are on the city website: [www.university-heights.org](http://www.university-heights.org) T-shirts are available in Black with black & gold 75<sup>th</sup> logo or White with black & gold 75<sup>th</sup> logo. Toddler & Youth shirts are \$12. each. Adult sizes are 15. each. All orders must be Pre-Paid.

Deadline for T- shirt orders is August 15. Shirts will be delivered before the August 29<sup>th</sup> event. A flyer will circulate to all households soon.



## July '10 – City Attorney's Report

1. **Council Member Resignation – Filling Vacancy**. Amy Moore has submitted her resignation effective July 13, 2010. The Council will consider a motion accepting Amy's resignation near the beginning of July meeting. Thereafter, the Council will appoint someone to fill the vacancy created by Amy's resignation. Here is an outline of the appointment process:

- **Nominations**. The Mayor will ask for nominations to fill the vacancy.
  - Council members may nominate candidates of their choosing. Persons interested in being appointed were invited to submit applications, and at least three have done so. The request for applications was an opportunity for candidates to signal their interest in the office and provide relevant information about themselves; the applications do not amount to nominations, however. A Council member must still nominate particular candidates.
  - Council members may nominate persons who did not submit an application.
  - No second is required to support a nomination.
  - A Council member may nominate more than one person, but each Council member should have the opportunity to nominate one person before any Council member has the opportunity to nominate more than one.
  - A Council member is not obligated to vote for a person nominated by that member. So, for example, if Citizen Smith submitted an application, Council Member Jones could nominate Smith just to put Smith's name on the ballot (perhaps out of deference to Smith's interest in the position). But Jones would not be obligated to vote for Smith.
  - A candidate is not required to be present to be nominated.
- **Input from Candidates**. After all nominations have been made, the Mayor will acknowledge each candidate's written application, if any. The Mayor will then permit each candidate present to make a brief oral presentation to the Council. Candidates should be called upon in alphabetical order by last name.
- **Public Input**. At the conclusion of candidates' oral presentations, the Mayor will permit public input regarding the candidates.
- **Discussion**. At the conclusion of public input, the Mayor will permit discussion of the candidates by the Council.
- **Voting**. When the Council discussion is concluded, the Clerk will conduct a roll call vote, listing the candidates alphabetically by last name. Each Council member may vote only once.
  - If a candidate receives a majority of the votes (3 of the 4 remaining Council members), then that candidate will be declared appointed to the Council.

- If no candidate receives 3 votes, then the Mayor again will permit discussion. At the conclusion of the discussion, the Clerk will again call the roll, and each Council member may vote only once. The slate of candidates will remain the same from one vote to the next unless, of course, a nominee withdraws, in which case the withdrawal should be noted in the minutes. The Mayor will continue to permit discussion and continue to direct the Clerk to call the roll until a candidate receives a majority.
  - **Post-appointment Matters.**
    - Immediately after the vote, the oath of office will be administered to the new Council member.
    - The new Council member will serve until the next city election, November 8, 2011, unless a petition is filed with the Clerk within 14 days of the appointment (no later than July 27) requesting a special election.
    - If a petition is filed, the appointed Council member will serve until a special election is held and the results certified.
2. **Resolution Permitting Participation in Meetings by Phone.** In considering the scheduling of upcoming Zoning Commission meetings, there was discussion about participation in various meetings by telephone. In the past, the Council has permitted members to participate by phone when necessary and the Council has the authority to establish its own rules to permit such participation. I have prepared Resolution 10-16 formalizing the Council's policy with regard to electronic participation in meetings; it is attached and will be considered July 13.
  3. **Publication of Intention to Amend Zoning Ordinance.** Given that the Zoning Commission will meet twice and, presumably, conclude its work on proposed amendments to the zoning ordinance in the coming weeks, I suggest that the Council authorize publication of its intention to consider such changes at the August meeting. Advance publication is required for the Council to take action in August.

**City Clerk Report  
July 13, 2010**

- **Four new building/mechanical permits since last meeting:**
  - 1006 Melrose Avenue – Mechanical permit for exhaust hood**
  - 1006 Melrose Avenue – Remodeling former Taste on Melrose restaurant**
  - 600 Koser Avenue – Horn School addition & remodel**
  - 10 Highland Drive – Wood deck**
  - 1232 Melrose Avenue – Egress window**
- **FY 2011 rental permits and renewal letter were sent out to all rental property owners. Norm Cate and I have received several phone calls back regarding the permits. I'll have a new list of returned permits at the next council meeting.**