

AGENDA

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

Tuesday, October 12, 2010

7:00 – 9:00 P.M. **Location: HORN SCHOOL**

Meeting called by Mayor Louise From

Time	Topic	Owner
7:00	Call to Order Meeting Roll Call Approval of Minutes Sept. 14, 2010	Louise From
7:02	Public Input Public Comments	
	<u>Administration</u>	
	-Mayor Mayor Report	Louise From
	-City Attorney Legal Report Second consideration of Ordinance No. 180 amending the City's Zoning Ordinance (No. 79) to create a Multiple-Family Commercial Zone and establish a procedure for St. Andrew Presbyterian Church property, as well as property adjacent to the east, to be redeveloped as a mixed-use commercial and residential development comprising no more than 2 buildings, 80 dwelling units, and 20,000 square feet of commercial space, among other limitations and restrictions..	Steve Ballard
	-City Clerk City Clerk Report	Chris Anderson
	<u>Committee Reports:</u>	
	<u>Finance</u> Committee Report Treasurer's Report/Payment of Bills -Consider Resolution in Support of Increased Freight Rail Capacity and in Support of Preserving Balanced Regulation.	Brennan McGrath Lori Kimura
	<u>Community Protection</u> Committee Report -Consider purchase of cell phones for police cars	Jim Lane/M. Haverkamp
	<u>Streets and Sidewalks</u> Streets & Sidewalks Report Engineer Report -Resolution 10-19 to approve the snow/sand contract with Johnson County Refuse	Pat Yeggy Josiah Bilskemper
	<u>Building, Zoning & Sanitation</u> Committee Report Leaf vacuuming: Thursday, Nov. 11 Bag pick up: Thursday, Nov. 18 Zoning report	Stan Laverman Pat Bauer

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

Next Regular Council Meeting: Tuesday, November 9, 2010
Location: Horn School

September- October 2010 Mayor Report

The 75th Anniversary Celebration of University Heights (1935-2010) was held on Sunday, August 29 with a **Parade** followed by the **Chautauqua event**, and **Dedication and Ribbon Cutting Ceremony** of the Melrose Ave. Wide Sidewalk Project. It was a hot sunny day in which it was estimated several hundred residents and visitors clustered in shaded areas along the parade route. There were close to 50 parade participants with many from University Heights as well as participants from the greater Iowa City/Coralville area. It was a very special event and I heard only wonderful comments from the community. Check out the photos of the Parade, Chautauqua, Baking Contest, and Dedication and Ribbon Cutting ceremony on the city website: www.university-heights.org.

Special Thanks to Shive-Hattery for sponsoring the Celebration! Also a BIG THANKS to Ron Fort, Matt Fort, Don Strong, Brad Reinhard from the UHPD and reserve officers for their expert assistance for directing the parade & traffic control.

-Thanks to the many volunteers who made this event successful! I will attempt to name them.

Mike Haverkamp, Pat Yeggy, Jim Lane, John McLure, Harold Plate, Jeri Irvine, David Duncan, Ron Fort, Paul Moore, Kevin Perez, Laurel Haverkamp, Mike Noel, Catherine Lane, Sharyn Reitz, Melissa Torres, Dell Richard, Mary Richard, Nancy Collins, Christine Anderson, Tam Bryk, Walter Robles, Bill Gay, Bob From, Merle Puhrman, Karla Schmidt, Ken Yeggy

Sept.29- Attended the Emergency Management Meeting. Highlights: EMA will be launching a county wide **Code Red** to everyone registered on Oct. 13 at 2:00pm. University Heights PD had a Hazmat Ops Class on Sept. 19. JECC executive director interviews start soon. 30 candidates applied. Jim Malmberg, Hills Fire Chief is the new Hills rep.

JCCOG Planning staff will serve as review staff for the site plan / P.U.D. - planned unit development phase of the One University Place project.

I meet with John Yapp on Sept. 30th. John has indicated he and his staff are able to review development plan submittals, engage in dialogue with the site designers, identify any concerns or conflicts with the Zoning criteria and the Comprehensive Plan, and make reports to University Heights in written and verbal formats. John indicated JCCOG will point out any issues and concerns with the development plan, but that approval of the design plan will rest with University Heights. Because University Heights does not have planning staff of its own, this will allow for an office through which the site plan issues will be

reviewed and processed. JCCOG will also seek input from University Heights legal, engineering and housing staff. This process is consistent with how site development plans are processed in other cities.

Because University Heights pays an annual assessment to JCCOG for service, there will not be any hourly charge for JCCOG’s services. Depending on the time spent on this project, JCCOG may propose

increasing next year’s annual assessment. If this assessment is necessary, the City will bill Jeff Maxwell the increased assessment amount.

Update way finding sign funding- Last year I reported to the city council that an application was made to JCCOG for way finding signs for University Heights through local enhancement funds. Coralville made the grant application for Coralville, Iowa City, North Liberty, Tiffin and University Heights. The project total was \$19,500. Funding was approved by JCCOG board and the next step is for DOT approval and to send on to FHWA to release the funding. I was asked to sign an official endorsement and 20 year maintenance commitment for the City. The 20% match cost for University Heights signs is **\$107**. Signs will be ready to order by late Feb. The signs will be ready to install by mid-April 2011 with a project completion date of June 1, 2011. Kris Ackerson has prepared an initial map with locations and will be getting these to each city for review and feedback along with sign examples at the RTBC meeting on Oct. 12. Council member, Jim Lane, will be the University Heights rep at this meeting. A report will be ready for the Nov. 9 council meeting.

Here is a summary of the grant and each community's 20% match and total community project amount.

	Total
Community Project \$	
Dollar amount of pledged local match (Coralville)	\$ 791
\$3980	
Dollar amount of pledged local match (Iowa City)	\$ 2,493
\$12,465	
Dollar amount of pledged local match (N. Liberty)	\$ 397
\$1985	
Dollar amount of pledged local match (U. Heights)	\$ 107
\$535	
Dollar amount of pledged local match (Tiffin)	\$ 107
\$535	

Dollar amount of other funds secured

\$ _____

Dollar amount of funds anticipated

\$ _____

Dollar amount of TE funds requested
\$ 15,600

Total project cost
\$ 19,500

October '10 – City Attorney's Report

1. St. Andrew Rezoning – Ordinance 180.

- You will be considering the second reading of Ordinance No. 180. The Ordinance, as amended and adopted by the Council in September, is attached, along with the zoning map identifying the property that would be included in the new zone created by the Ordinance. The attached version of the Ordinance permits a maximum of 80 dwelling units (sec. 13(b)(2)) and requires at least 185 parking spaces, no more than 55 of which may be above ground (sec. 13(b)(6)).
- The rules related to amendments and voting are the same as last month; I'm attaching another copy of my September St. Andrew report for your ready reference.
- At the beginning of your discussion of Ordinance No. 180, I would encourage each of you to again announce publicly any communications you have had regarding the proposed redevelopment, much as you did in August. I suggest that you identify those with whom you have communicated and the general nature of your discussion/exchange.
- There has been a good amount of communication regarding Ordinance No. 128, restricting development of property containing particular slopes. I have reviewed the memoranda from John Yapp and Josiah Bilskemper, among other items.
 - As I have mentioned before, Ordinance No. 180 creates a procedure to consider a Multiple-Family Commercial PUD application. Such an application would include, among other things, a site plan showing topography and contours at two-foot intervals.
 - If the ordinance is adopted and a site plan is submitted that proposes filling the ravine to the east, then the council at that time would have a policy decision to make about the wisdom of amending Ordinance No. 128 to permit development as proposed.
 - Although Jeff Maxwell has shown the Council and community his proposal for development, the Council is not voting on that proposal now. Rather, the Council is voting on whether to amend the zoning ordinance to permit a development application.
 - For these reasons, I believe it is premature and contrary to the sequence established by Ordinance No. 180 to consider amending Ordinance No. 128 now or to indicate that such amendment will not be made. Instead, my advice is for the Council to proceed as it has – vote on Ordinance No. 180 and, if

it is adopted take up issues related to particular site development features when a development application is filed.

2. **Public Records Requests - email.** As you know, the City has received requests for access to email involving Council members and the Mayor related to the St. Andrew redevelopment proposal.
 - Mike Haverkamp has, in my view, done yeoman's work in collecting and compiling these emails and posting them on the City website. I have spoken with Mike about whether using the City email address (xva@university-heights.org) would make his task easier. My thought was that if email was sent to and from a City address, it might be able to permit public inspection upon request. At the same time, I do not want to create additional work for Mike. I would encourage the Council to explore a way to make email available for inspection without requiring an individual Council member to collect and compile it.
 - I received an inquiry as to whether email that is sent to or by only one individual Council member is a public record. I informed the Council member who inquired that email is a public record if it's sent to or by a Council member, regardless of who else it's sent to, if it concerns City business or policy. So that I am clear, if you receive an email that has something to do with the proposed St. Andrew redevelopment, it should be included in what you send to Mike
3. **Immediate Citation for Housing Violations.** In September, the Council directed that Ordinances be amended to permit the Rental Housing Inspector to issue citations immediately upon discovery of violations rather than giving some notice of violation and issuing a citation only if the recipient fails to comply. The City's Rental Housing Code, Ordinance No. 110, does provide the inspector with discretion to give notice of a violation and an opportunity for the property owner/occupant to correct the deficiency (secs. 110.11-.18). The Ordinance also, however, permits the inspector to issue a citation immediately (sec. 110.24). Thus, I do not believe the Ordinance needs to be amended. The inspector has discretion whether to issue a citation immediately or provide notice and an opportunity to cure. I have communicated with Norm Cate about this.
4. **Removal of Snow and Ice from Wide Sidewalk.** At the December 2009 meeting, the Council adopted Resolution 09-19 (copy attached), providing that adjacent property owners would only be required to remove snow and ice from the 4 feet of the wide sidewalk along Melrose Avenue nearest to their property. State law requires that adjacent property owners remove snow and ice from "the sidewalks" and doesn't distinguish between an 8-foot sidewalk and one of another width. The City cannot displace state law in this regard. So, the possibility exists that if someone was injured on the portion of a wide sidewalk that had not been cleared, the injured person could have a claim for damages against the adjacent property owners or their insurer if the failure to remove snow was unreasonable. That possibility seems fairly remote, particularly if the owner has cleared the 4-foot portion of the sidewalk near

their property. Nonetheless, I suggest that the Council provide some notice to property owners to the effect that the City only requires removal of snow from 4 feet of the sidewalk, but the City's policy does not change the state law as it concerns possible liability for injuries. I would be happy to draft a letter to this effect at the Council's direction.

Leff/SEB/UH/UH Atty Reports/UHAttyRept October '10

ORDINANCE NO. 180

AN ORDINANCE AMENDING ORDINANCE NO. 79 (ZONING) TO CREATE
A MULTIPLE-FAMILY COMMERCIAL ZONE AND PERMIT DEVELOPMENT
PURSUANT TO A MULTIPLE-FAMILY PUD

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,
JOHNSON COUNTY, IOWA:

PART I. FINDINGS:

Whereas, the University Heights City Council hereby makes, adopts, and ratifies the following findings relating to the rezoning of certain real property owned by and adjacent to St. Andrew Presbyterian Church (hereinafter "the property") for which a development application has been received that would require rezoning:

1. Commercial uses within University Heights are concentrated in two areas along Melrose Avenue: the C Commercial Zone located on the western edge of the community, and the B Business Zone, located on the eastern edge of the community.
2. The property is bordered to the south by Melrose Avenue, an arterial street according to Johnson County Council of Governments ("JCCOG"), the regional traffic planning body, and the main traffic thoroughfare in University Heights.
2. The property is bordered to the west by a deep ravine. West of the ravine is a Planned Unit Development (PUD) containing single-family dwellings, and further to the west is the city's C Commercial Zone, the location of the University Athletic Club.
3. The property is bordered to the north by a parking lot and wooded area owned by the University of Iowa, and single-family dwellings in the R-1 Single Family Residential zone.
4. The property is bordered to the east by Grand Avenue and single-family dwellings in the R-1 Single Family Residential zone.
5. The property differs from surrounding single-family properties in its use and has for many years. The majority of surrounding properties are single-family homes, while the St. Andrew property comprises a church and a large parking lot. The property is one of few parcels in University Heights zoned R-1 and not occupied by single-family dwellings.
6. The comprehensive plan of the City of University Heights provides that the predominance of residential land uses creates a concern about future financial stability for the community, and that "[t]he potential for conversion to commercial or institutional uses" should be evaluated.
7. Rezoning of the property from R-1 Single Family Residential use to Multiple-Family Commercial use addresses this concern by allowing for mixed-use development.
8. During its deliberations of this Ordinance No. 180, the University Heights City Council considered all the following "smart planning principles", as required by Iowa Code § 18B.1:

- a. Collaboration;
- b. Efficiency, transparency, and consistency;
- c. Clean, renewable, and efficient energy;
- d. Occupational diversity;
- e. Revitalization;
- f. Housing diversity;
- g. Community character;
- h. Natural resources and agricultural protection;
- i. Sustainable design; and
- j. Transportation diversity.

PART II. AMENDMENTS:

Based upon these Findings, but subject to the contingencies and conditions set forth in Part III of this Ordinance No. 180, The University Heights Zoning Ordinance (No. 79) is amended as follows (additions are shown by underline; deletions by ~~strike through~~; omissions by "****"):

Section 5. Districts and Boundaries Thereof.

- A. In order to classify, regulate and restrict the location of residences, trades, industries, businesses, and other land uses and the location of buildings designed for specified uses, to regulate and limit the height and bulk of buildings hereinafter erected or structurally altered, to regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of yards and other open spaces around such buildings, the City of University Heights, Iowa, is hereby divided into ~~Five (5)~~ Six (6) zones, to-wit:
 - 1. R-1 Single-Family residential.
 - 2. R-3 Multiple-Family residential.
 - 3. B Business.
 - 4. C Commercial.
 - 5. PUD Planned Unit Development.
 - 6. Multiple-Family Commercial.

Section 6. Uses. Use of property in the City of University Heights shall be limited to those uses set forth as follows:

- A. Property in an R-1 Single-Family Residential zone shall be used for the following purposes only:
 - 1. One single-family dwelling per lot.
 - 2. Public schools, public libraries, public parks and public playgrounds.
 - 3. Churches and places of worship and parochial schools.

4. Other customary accessory uses and buildings, provided such uses are incidental to the principal use and do not include any activity conducted as a business. Such accessory buildings shall not be used for human occupancy or living.
5. One person not a member of the family as defined herein may occupy the premises as part of the individual housekeeping unit.
6. Home occupations.

F. Property in a Multiple-Family Commercial zone shall be used for the following purposes only:

1. All uses which are allowed in an R-1 Single-Family Residential Zone, subject to the height restrictions, yard regulations, lot regulations, and off-street parking regulations specified for the R-1 Single-Family Residential Zone in Sections 7, 8, 9, and 10 of this Ordinance.
2. As provided in or limited by the Development Agreement between the City of University Heights and the Developer pursuant to the Multiple-Family Commercial Planned Unit Development (PUD) regulations and requirements set forth in Section 13 of this Ordinance.
 - a. When development occurs pursuant to a Multiple-Family Commercial PUD, the provisions of this Ordinance regarding height restrictions, yard regulations, lot regulations, and off-street parking regulations (Sections 7, 8, 9, and 10) are superseded by the provisions of Section 13 and the Development Agreement between the City and Developer.
 - b. When development occurs pursuant to a Multiple-Family Commercial PUD, the following uses of the commercial space portion of the PUD are permitted:
 1. Professional offices.
 2. Bakeries.
 3. Drug Stores.
 4. Grocery Stores.
 5. Barber shops or beauty shops.
 6. Catering Businesses.
 7. Restaurants, tea rooms, cafés, coffee shops, or similar establishments but not including bars, saloons, taverns, or drinking establishments.
 8. Retail shops but not including liquor stores.

9. Art galleries.

10. Personal fitness centers.

11. Such other and further uses as provided in or limited by the Development Agreement between the City of University Heights and the Developer pursuant to the Multiple-Family Commercial Planned Unit Development (PUD) regulations and requirements set forth in Section 13 of this Ordinance.

Section 13. Multiple-Family Commercial PUD.

A. Intention. The Multiple-Family Commercial PUD regulations and requirements are intended to accommodate projects for which the specific architectural design and site layout of individual buildings and elements shall be subject to approval by the University Heights City Council. Development may occur provided that it is consistent with the overall design and development elements reviewed and approved by the University Heights City Council, all as provided in this Ordinance.

B. Development Regulations and Restrictions. Property may be developed as a Multiple-Family Commercial PUD Zone pursuant to the following regulations and restrictions:

1. No more than two (2) buildings may be constructed with combined footprints of no more than forty-five thousand (45,000) square feet.

2. No more than eighty (80) dwelling units may be constructed.

3. No more than twenty thousand (20,000) square feet of commercial space may be constructed.

4. No more than one person not a member of the family as defined in Section 3 of this Ordinance may occupy each dwelling unit as part of the individual housekeeping unit.

5. The front building of the development (closest to Melrose Avenue) shall not exceed thirty-eight (38) feet in height, and the rear building shall not exceed seventy-six (76) feet in height. "Height" is defined in Section 7 of this Ordinance.

6. A minimum of one hundred eighty-five (185) off-street parking spaces, of which no more than fifty-five (55) may be above ground, shall be provided for commercial and residential uses. "Parking space" is defined in Section 10 of this Ordinance.

7. The eaves or building projections, including screened porches or walls, of the front building shall not be less than thirty three (33) feet from the lot line along Melrose Avenue; the eaves or building projections, including screened porches or walls, of any other building or portion thereof shall not be less than twenty (20) feet from any lot line.

8. The University Heights City Council may impose additional reasonable conditions as it deems necessary to ensure that the development is compatible with adjacent land uses, will not overburden public services and facilities, and will not be detrimental to public health, safety, and welfare.

C. Procedure.

1. Any person or entity proposing development as a Multiple-Family Commercial PUD shall submit fifteen (15) copies of a Multiple-Family Commercial PUD Plan Application setting forth all the information specified in Section 13(D) of this Ordinance.

2. The University Heights City Council shall hold a public hearing regarding such Plan Application. The public hearing may occur as part of any regularly scheduled or special Council meeting.

3. The University Heights City Council in its sole discretion may approve, deny, or approve on condition any such Plan Application or any part thereof.

4. No building permit shall issue for development of any property pursuant to a Multiple-Family Commercial PUD until the University Heights City Council has approved a Plan Application pursuant to Section 13(D) and the Council and Developer have executed a Development Agreement pursuant to Section 13(E) of this Ordinance.

5. Once approved, a Plan Application may be modified by written instrument approved by the University Heights City Council and by the Developer.

6. Once approved, a Development Agreement may be modified by written instrument approved by the University Heights City Council and by the Developer.

D. Multiple-Family Commercial PUD Plan Application Requirements. A Multiple-Family Commercial PUD Plan Application must set forth or otherwise include all of the following:

1. Location, size, and legal description of the site.

2. Location and area of land uses.

3. Detailed site plan showing all existing or proposed easements.

4. Front, side, and rear yard setbacks.

5. Existing topography at two-foot intervals.

6. Grading plan at one-foot contours.

7. Location and description of major site features, including tree masses, drainageways, wetlands, and soils.

8. Erosion control plan.

9. Proposed type or types of development, e.g., commercial, multiple-family dwelling, etc.

10. Location and size of buildings or building footprints.
11. Design elevations showing all sides of every building, roofline, and perimeter fences.
12. Description of materials for all exterior building surfaces and perimeter fences.
13. Vertical and horizontal dimensions of the exterior of all buildings and perimeter fences.
14. Maximum height of proposed structures and perimeter fences.
15. Floor plans showing square footage of each commercial and each dwelling unit.
16. Location of existing and proposed utilities, sanitary sewers, storm water facilities, and water, gas, and electrical distribution systems.
17. Preliminary Plat, if applicable.
18. Final Plat, if applicable.
19. Deed restrictions, covenants, agreements, association bylaws and/or other documents controlling the use of the property and controlling the type of construction or development activities of future residents.
20. All other information reasonably required by the University Heights City Council or its designees to explain or illustrate the Plan Application.

E. Development Agreement. The Multiple-Family Commercial PUD Plan shall also include a Development Agreement establishing development requirements and addressing certain other items, including the following:

1. Design standards applicable to the project.
2. Development covenants, easements, and restrictions, including a prohibition on further subdivision of the property developed pursuant to the Multiple-Family Commercial PUD. Restrictions may also include the types of businesses and hours of operation of businesses located in the commercial space portion of the Multiple-Family Commercial PUD and whether and on what conditions some or all dwelling units may be leased.
3. Site improvements, including sidewalks, that will be constructed following approval of the Site Development Plan.
4. Timing of commencement and completion of construction of buildings and improvements pursuant to the Multiple-Family Commercial PUD Plan.
5. Payment by the Developer of the costs and fees, including engineering, legal, administrative, publication and recording fees, incurred by the City of University Heights in considering the PUD Plan.

Current Sections 13 through 22 will be renumbered 14 through 23.

PART III. REVIEW OF ZONING CHANGE – AUTHORITY TO AMEND, MODIFY, OR REVERSE

If upon the sixth anniversary of the effective date of this Ordinance, the real estate in the Multiple-Family Commercial Zone is not already being used or developed as a Multiple-Family Commercial PUD or if there is neither (i) a documented plan of the then owner or owners of such real estate to use or develop such real estate for other permitted Multiple-Family Commercial Zone purposes within the subsequent three years, or (ii) a written agreement of any then owner of such real estate to sell it to others intending to develop or use such real estate within the subsequent three years for other permitted Multiple-Family Commercial Zone purposes, then the City Council (with any requested and permitted input from the Zoning Commission) shall review the City's Comprehensive Plan then in effect and other relevant facts and circumstances at such time affecting such real estate to determine if the Multiple-Family Commercial Zone classification (a) remains appropriate, or (b) should be then modified in accordance with applicable state laws and City ordinances. Nothing in this provision is intended nor should be construed as a limitation of any other responsibility or authority the Zoning Commission and/or City Council has under state law and City ordinances, including the authority, subject to state law and City ordinances, including but not limited to the authority to earlier or later conduct such a review and possible modification to the zoning classification.

PART IV. EFFECTIVE DATE.

This Ordinance shall become effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council on this ____ day of _____, 2010, and approved this ____ day of _____, 2010.

Louise From, Mayor

ATTEST:
(SEAL)

Christine Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On the ____ day of _____, 2010, before me, a notary public in and for the state of Iowa, personally appeared Louise From, Mayor, and Christine Anderson, Clerk of the City of University Heights, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the City; and that said instrument was acknowledged and sealed

on behalf of the City, and that Louise From and Christine Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the City, by it and by them voluntarily executed.

Notary Public in and for the
State of Iowa

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Christine Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the ____ day of _____, 2010.

Christine Anderson

Signed and sworn to before me on the ____ day of _____, 2010, by Christine Anderson, Clerk of the City of University Heights.

Notary Public in and for the
State of Iowa

Steve/UH/UHOrdinances/Ordinance 180 amending 079 Zoning StAndrew 091010

RESOLUTION NO. 09-19

RESOLUTION LIMITING THE RESPONSIBILITY OF PROPERTY OWNERS ABUTTING WIDE-SIDEWALKS IN UNIVERSITY HEIGHTS TO MAINTAIN AND REPLACE THOSE SIDEWALKS

WHEREAS, the City of University Heights expects to construct wide sidewalks along the north side of Melrose Avenue and perhaps along Sunset Street; and

WHEREAS, by undertaking the construction of such projects, the City does not intend to increase the burden property owners to maintain and replace sidewalks abutting their property; and

WHEREAS, the City desires to limit the obligation of abutting property owners to maintain and replace sidewalks abutting their property to the extent of a standard sidewalk width or four (4) feet,

RESOLVED, that the City of University Heights establishes and adopts the following policy with regard to the responsibility of property owners abutting wide sidewalks hereafter constructed by the City to maintain and replace such sidewalks:

1. Abutting property owners shall be required to maintain and replace only the four (4) feet of sidewalk nearest to their property (i.e., the four (4) feet farthest from the curb or street).
2. This policy only applies to replacement of sidewalk mandated by the City; if abutting property owners elect to replace some or all of their sidewalk on their own (for example, as a part of replacing a driveway), those property owners shall bear the entire cost of replacing the wide sidewalk.
3. If the City arranges for a contractor to replace panels as part of the City-mandated replacement of sidewalks in the community, the abutting property owner must agree to use the selected contractor or the City will pay no portion of the replacement cost.
4. All sidewalk replacement projects shall encompass replacement of entire panels of sidewalk; abutting property owners may not replace only portions of a panel, whether such replacement is mandated by the City or performed at the election of abutting property owners. "Panel" as used in this policy means the entire section of sidewalk from one expansion joint or saw cut to the next expansion joint or saw cut.
5. "Maintenance" as used in this policy includes the obligation to remove natural accumulations of snow and ice, such that abutting property owners shall be required only to remove such accumulations from the four (4) feet of sidewalk nearest to their property.

Dated this 8th day of December, 2009.

Upon motion by _____, and seconded by _____, the vote was as follows:

	AYES:	NAYS	ABSENT
Dudler	_____	_____	_____
Giese	_____	_____	_____
Laverman	_____	_____	_____
McGrath	_____	_____	_____
Moore	_____	_____	_____

Upon Roll Call thus recorded, the Resolution is declared adopted this 8th day of December, 2009.

Louise From, Mayor
City of University Heights

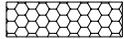
ATTEST:

Christine M. Anderson, City Clerk

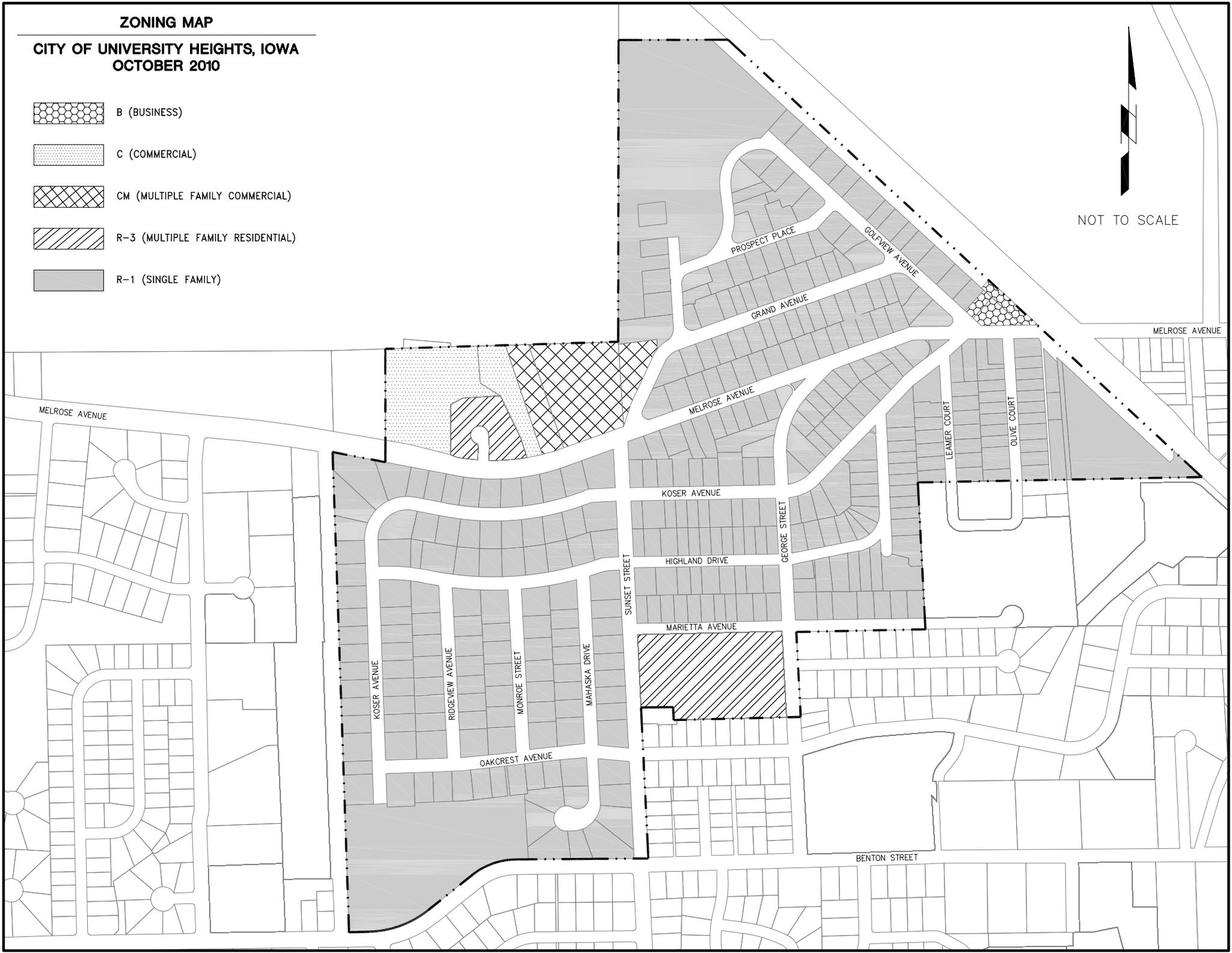
Steve/UH Resolutions/Resolution 0919 120809 re maintaining wide sidewalk

ZONING MAP

CITY OF UNIVERSITY HEIGHTS, IOWA
OCTOBER 2010

-  B (BUSINESS)
-  C (COMMERCIAL)
-  CM (MULTIPLE FAMILY COMMERCIAL)
-  R-3 (MULTIPLE FAMILY RESIDENTIAL)
-  R-1 (SINGLE FAMILY)

NOT TO SCALE



**City Clerk Report
October 12, 2010**

- **No new building permits received since the last meeting.**
- **Six new rental permits received since last meeting:**

**23 George Street
138 Highland Drive
147 Koser Avenue
149 Koser Avenue
217 Koser Avenue
31 Leamer Court**

- **Updates from Norm Cate:**

14 Leamer Court has been inspected and there are 2 sisters and a roommate occupying the residence.

31 Prospect Place has been inspected and is under compliance.

425 Koser Avenue appears to be over-occupied as the owner was under the impression the property had been zoned as a duplex. Norm is working with the owners to bring the property into compliance.

306 Highland has been sent a letter but no response from the owner; owner lives out of town.

1145 Melrose Avenue was contacted about number of occupants. Norm will need more concrete information to legally pursue for over-occupancy.

City of University Heights, Iowa
Profit & Loss Budget vs. Actual
July through September 2010

12:25 AM
10/12/2010
Cash Basis

	<u>Jul - Sep 10</u>	<u>Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense			
Income			
GENERAL PROPERTY TAXES			
Transit Levy	5,233.27	41,290.00	12.67%
Library Services Levy	1,722.51	13,592.00	12.67%
Regular Property Tax	51,675.29	407,768.00	12.67%
Debt Service Levy	4,156.46	32,810.00	12.67%
Insurance Levy	2,287.05	18,100.00	12.64%
Benefits Levies	5,402.74	42,702.00	12.65%
Total GENERAL PROPERTY TAXES	<u>70,477.32</u>	<u>556,262.00</u>	<u>12.67%</u>
OTHER CITY TAXES			
Local Option Sales Tax	26,356.69	125,000.00	21.09%
Total OTHER CITY TAXES	<u>26,356.69</u>	<u>125,000.00</u>	<u>21.09%</u>
LICENSES & PERMITS			
Beer/Wine/Liquor/Cig Permits	305.62		
Building/Equipment Permits	6,833.80	8,000.00	85.42%
Misc. Licenses/Permits			
Parking Permits	30.00	100.00	30.0%
Rental Permits	8,800.00	12,000.00	73.33%
Total Misc. Licenses/Permits	<u>8,830.00</u>	<u>12,100.00</u>	<u>72.98%</u>
Total LICENSES & PERMITS	15,969.42	20,100.00	79.45%
USE OF MONEY & PROPERTY			
Interest on Cash Investments	505.45	3,000.00	16.85%
Total USE OF MONEY & PROPERTY	<u>505.45</u>	<u>3,000.00</u>	<u>16.85%</u>
INTERGOVERNMENTAL/SHARED REVENUE			
Federal Grants & Reimbursements			
Stimulus Funding	0.00	50,000.00	0.0%
I-JOBS (ARRA) Funds	5,245.27		
Total Federal Grants & Reimbursements	<u>5,245.27</u>	<u>50,000.00</u>	<u>10.49%</u>
State Shared Revenues			
IDOT funds-wide sidewalk proj	0.00	396,800.00	0.0%
Road Use/Street Construction	25,021.06	84,000.00	29.79%
Total State Shared Revenues	<u>25,021.06</u>	<u>480,800.00</u>	<u>5.2%</u>
Other State Grants/Reimburse.			
Seatbelt Incent/Traffic Safety	2,270.29		
Total Other State Grants/Reimburse.	<u>2,270.29</u>		
Total INTERGOVERNMENTAL/SHARED REVENUE	32,536.62	530,800.00	6.13%

	<u>Jul - Sep 10</u>	<u>Budget</u>	<u>% of Budget</u>
CHARGES FOR SERVICES			
Rental Inspection	0.00	900.00	0.0%
Police Reports	134.00	100.00	134.0%
Total CHARGES FOR SERVICES	134.00	1,000.00	13.4%
MISCELLANEOUS REVENUES			
Cable TV Franchise	0.00	7,750.00	0.0%
Fines			
Parking Fines	885.00	9,000.00	9.83%
Traffic Fines-Clk of Ct	20,572.14	60,000.00	34.29%
Total Fines	21,457.14	69,000.00	31.1%
Misc. Income			
Other	0.00	2,000.00	0.0%
Total Misc. Income	0.00	2,000.00	0.0%
Refunds and Reimbursements	0.00	1,000.00	0.0%
Total MISCELLANEOUS REVENUES	21,457.14	79,750.00	26.91%
Total Income	167,436.64	1,315,912.00	12.72%
Expense			
CAPITAL PROJECTS			
Wide Sidewalk Project			
Construction	155,526.04	356,500.00	43.63%
Engineering fees sidewalk proj	40,931.55		
Total Wide Sidewalk Project	196,457.59	356,500.00	55.11%
Total CAPITAL PROJECTS	196,457.59	356,500.00	55.11%
PUBLIC SAFETY			
Police			
Police Gross Wages			
Holiday & Other Pay	3,162.53	12,200.00	25.92%
Police Gross Wages	50,826.74	162,490.00	31.28%
Salaries-Reserves	0.00	20.00	0.0%
Total Police Gross Wages	53,989.27	174,710.00	30.9%
Police Benefits & Costs			
Police FICA	3,262.10	10,832.00	30.12%
Police Medicare	762.90	2,533.00	30.12%
Police IPERS	5,371.90	17,384.00	30.9%
Police Health Insurance	2,928.25	10,000.00	29.28%
Police Workers Compensation	1,129.00	6,500.00	17.37%
Police SUTA	19.22	100.00	19.22%
Total Police Benefits & Costs	13,473.37	47,349.00	28.46%
Staff Development			

	Jul - Sep 10	Budget	% of Budget
Regular Officer Training			
Academy Training	0.00	4,700.00	0.0%
Officer Training	0.00	3,500.00	0.0%
Training Supplies	124.79	1,000.00	12.48%
Total Regular Officer Training	124.79	9,200.00	1.36%
Total Staff Development	124.79	9,200.00	1.36%
Repair/Maint/Utilities			
Vehicle Operations			
Fuel	2,887.21	15,000.00	19.25%
Washes	84.00	700.00	12.0%
Total Vehicle Operations	2,971.21	15,700.00	18.93%
Vehicle Repair			
Bicycle Maint/Repair	0.00	200.00	0.0%
Car Maint/Repair	596.51	8,000.00	7.46%
Total Vehicle Repair	596.51	8,200.00	7.28%
Telecommunications Expense			
Radio Repairs	203.11	1,000.00	20.31%
Verizon/Pager Fees	90.02	1,000.00	9.0%
Wireless/Racom Radio Fees	418.84	1,000.00	41.88%
Total Telecommunications Expense	711.97	3,000.00	23.73%
Total Repair/Maint/Utilities	4,279.69	26,900.00	15.91%
Contractual Services			
Police Insurance-Car/Liability	0.00	4,800.00	0.0%
Payments to Other Agencies			
Technology Services	265.81		
Tech. Services Bureau - St. IA	300.00	2,600.00	11.54%
Sheriff/Comm. Services	0.00	200.00	0.0%
Emergency Comm. Services-IC	0.00	42,275.00	0.0%
Radio Fees-Iowa City	0.00	1,500.00	0.0%
Total Payments to Other Agencies	565.81	46,575.00	1.22%
Printing/Copying	0.00	800.00	0.0%
Garage Rental	0.00	880.00	0.0%
Prof Serv-Psych Testing-Physica	0.00	500.00	0.0%
Total Contractual Services	565.81	53,555.00	1.06%
Commodities			
Car Purchase	0.00	13,500.00	0.0%
Minor Equipment			
Regular Officer Uniform	295.37	3,000.00	9.85%
Operating Police Equipment	2,106.93	1,500.00	140.46%
Total Minor Equipment	2,402.30	4,500.00	53.38%

	<u>Jul - Sep 10</u>	<u>Budget</u>	<u>% of Budget</u>
Major Equipment			
Stop Sticks	0.00	1,000.00	0.0%
Light Bar	1,600.00		
Radar	807.85		
Car Equipment	0.00	3,000.00	0.0%
Total Major Equipment	<u>2,407.85</u>	<u>4,000.00</u>	<u>60.2%</u>
Supplies			
Office Supplies	226.97	2,000.00	11.35%
Operating Supplies	1,964.27	3,000.00	65.48%
Ammunition	1,575.00	3,000.00	52.5%
Postage/Shipping	0.00	300.00	0.0%
Other Supplies	83.40	1,000.00	8.34%
Total Supplies	<u>3,849.64</u>	<u>9,300.00</u>	<u>41.39%</u>
Total Commodities	<u>8,659.79</u>	<u>31,300.00</u>	<u>27.67%</u>
Total Police	81,092.72	343,014.00	23.64%
Fire			
Contracts w/Other Agencies			
Coralville Fire Dep't	14,859.00	29,718.00	50.0%
Hydrant Flush-City of Iowa City	1,000.00	1,600.00	62.5%
Total Contracts w/Other Agencies	<u>15,859.00</u>	<u>31,318.00</u>	<u>50.64%</u>
Total Fire	15,859.00	31,318.00	50.64%
Hazmat-Johnson County	256.00	256.00	100.0%
Building Inspections			
Building / Rental Inspection	8,330.00	4,000.00	208.25%
Total Building Inspections	<u>8,330.00</u>	<u>4,000.00</u>	<u>208.25%</u>
Total PUBLIC SAFETY	105,537.72	378,588.00	27.88%
PUBLIC WORKS			
Roads, Bridges, & Sidewalks			
Storm water permit	94.00	5,000.00	1.88%
Contractual Services			
Engineering Fees	9,927.20	36,000.00	27.58%
Repairs/Improvements			
Arterial St Repairs (stimulus)	50,264.99	57,500.00	87.42%
Street Repairs	341.00	22,500.00	1.52%
Total Repairs/Improvements	<u>50,605.99</u>	<u>80,000.00</u>	<u>63.26%</u>
Striping/Curb Renumbering	0.00	5,000.00	0.0%
Total Contractual Services	<u>60,533.19</u>	<u>121,000.00</u>	<u>50.03%</u>
Street Lighting Electricity	1,838.86	7,500.00	24.52%

	Jul - Sep 10	Budget	% of Budget
Traffic Controls and Safety			
Street Signs-Commodities	173.25		
Traffic Light Electricity	212.96	1,000.00	21.3%
Total Traffic Controls and Safety	386.21	1,000.00	38.62%
Snow Removal-Contractual	0.00	25,300.00	0.0%
Street Sweeping-Contractual	0.00	5,000.00	0.0%
Total Roads, Bridges, & Sidewalks	62,852.26	164,800.00	38.14%
Other Public Works			
Contracts-Other Agencies			
IC Bus Service	8,174.50	33,000.00	24.77%
SEATS Service	2,110.98	8,290.00	25.46%
Total Contracts-Other Agencies	10,285.48	41,290.00	24.91%
Total Other Public Works	10,285.48	41,290.00	24.91%
Sanitation			
Contractual			
Trash/Recycling	5,215.50	20,862.00	25.0%
Leaf Bag pick up	0.00	1,200.00	0.0%
Leaf Vacuuming	0.00	10,000.00	0.0%
Total Contractual	5,215.50	32,062.00	16.27%
Total Sanitation	5,215.50	32,062.00	16.27%
Total PUBLIC WORKS	78,353.24	238,152.00	32.9%
CULTURE & RECREATION			
Library	9,761.00	30,242.00	32.28%
Parks			
Park Expenses	400.71	750.00	53.43%
Total Parks	400.71	750.00	53.43%
Total CULTURE & RECREATION	10,161.71	30,992.00	32.79%
COMMUNITY & ECONOMIC DEV.			
Tree Trimming/Lawn Care	1,043.80	5,000.00	20.88%
Total COMMUNITY & ECONOMIC DEV.	1,043.80	5,000.00	20.88%
GENERAL GOVERNMENT			
Mayor/Council Operations			
Salaries-Regular Part Time			
Council	800.00	4,000.00	20.0%
Mayor	491.75	1,967.00	25.0%
Total Salaries-Regular Part Time	1,291.75	5,967.00	21.65%
Employee Benefits & Costs			
FICA	80.09	370.00	21.65%

	Jul - Sep 10	Budget	% of Budget
Medicare	18.73	87.00	21.53%
Unemployment Compensation	1.30	5.00	26.0%
Total Employee Benefits & Costs	100.12	462.00	21.67%
Total Mayor/Council Operations	1,391.87	6,429.00	21.65%
Clerk/Treasurer & Finance Admin			
Salaries-Regular Part Time			
Clerk, Treasuer, Historian	2,355.75	9,000.00	26.18%
Total Salaries-Regular Part Time	2,355.75	9,000.00	26.18%
Employee Benefits & Costs			
FICA	146.07	558.00	26.18%
Medicare	34.16	131.00	26.08%
IPERS	199.69	625.00	31.95%
Unemployment Compensation	2.46	10.00	24.6%
Total Employee Benefits & Costs	382.38	1,324.00	28.88%
Staff Development			
Dues & Memberships			
JCOG Assessment	0.00	918.00	0.0%
IA League of Cities	0.00	555.00	0.0%
Dues and Memberships	0.00	250.00	0.0%
Total Dues & Memberships	0.00	1,723.00	0.0%
Total Staff Development	0.00	1,723.00	0.0%
Contractual Services			
Accounting Fees	430.00	2,000.00	21.5%
Printing/Copying	0.00	700.00	0.0%
Legal Publications	887.22	3,000.00	29.57%
Technology Services	74.85	300.00	24.95%
Total Contractual Services	1,392.07	6,000.00	23.2%
Commodities			
Minor Equipment/Supplies/Techno	302.75	700.00	43.25%
Office Supplies and Postage	19.89	500.00	3.98%
Total Commodities	322.64	1,200.00	26.89%
Total Clerk/Treasurer & Finance Admin	4,452.84	19,247.00	23.14%
Election Expenses	0.00	1,750.00	0.0%
Legal Services	32,635.48	45,000.00	72.52%
City Hall & General Buildings			
Salaries-Regular Part Time			
Facilities Assistant	0.00	1,248.00	0.0%
Total Salaries-Regular Part Time	0.00	1,248.00	0.0%
Employee Benefits & Costs			

	Jul - Sep 10	Budget	% of Budget
FICA	0.00	77.00	0.0%
Medicare	0.00	18.00	0.0%
IPERS	0.00	87.00	0.0%
Total Employee Benefits & Costs	0.00	182.00	0.0%
Repair/Maint/Utilities			
Maintenance	191.61	1,000.00	19.16%
Utilities	286.15	1,500.00	19.08%
Telecommunications	400.12	1,600.00	25.01%
Total Repair/Maint/Utilities	877.88	4,100.00	21.41%
Contractual			
Rents & Leases	2,706.00	10,844.00	24.95%
Total Contractual	2,706.00	10,844.00	24.95%
Commodities			
Supplies	28.18	200.00	14.09%
Total Commodities	28.18	200.00	14.09%
Total City Hall & General Buildings	3,612.06	16,574.00	21.79%
Tort Liability Insurance	0.00	6,800.00	0.0%
Total GENERAL GOVERNMENT	42,092.25	95,800.00	43.94%
DEBT SERVICE			
Interest	0.00	7,810.00	0.0%
Principal	0.00	25,000.00	0.0%
Total DEBT SERVICE	0.00	32,810.00	0.0%
Total Expense	433,646.31	1,137,842.00	38.11%
Net Ordinary Income	-266,209.67	178,070.00	-149.5%
Other Income/Expense			
Other Income			
OTHER FINANCING SOURCES			
Repay Sidewalk Project Loan Drw	0.00	-555,000.00	0.0%
Loan Draws for Sidewalk Project	150,000.00	356,500.00	42.08%
Total OTHER FINANCING SOURCES	150,000.00	-198,500.00	-75.57%
Transfers Out/Transfers In	0.00	0.00	0.0%
Sale of General Obligation Bond	0.00	150,000.00	0.0%
Total Other Income	150,000.00	-48,500.00	-309.28%
Net Other Income	150,000.00	-48,500.00	-309.28%
Net Income	-116,209.67	129,570.00	-89.69%

**FORM OF PROPOSAL AND CONTRACT
CITY OF UNIVERSITY HEIGHTS
UNIVERSITY HEIGHTS, IOWA**

SNOW REMOVAL AND SANDING SERVICES

October 2010

The undersigned proposes to furnish material and labor necessary to complete the following work as defined within the Scope for snow removal and sanding services in accordance with the specifications contained herein.

Work items are as follows:

ITEM	UNIT	UNIT PRICE	
1. Snow Removal (Streets & Sidewalks)	Per Operation	\$ 850.00	Deleted: 800.00
2. Snow Removal (Street Mains)	Per Operation	\$ 400.00	Deleted: 250.00
3. Sanding and Salting (Streets & Sidewalks)	Per Operation	\$ 400.00	Deleted: 375.00
4. Sanding and Salting (Street Mains)	Per Operation	\$ 300.00	Deleted: 275.00
5. Sand and Salt Barrel	Per Barrel	\$ 50.00	
6. Snow Removal (Public Sidewalks) (Traffic Island, City Park)	Per Operation	\$ 75.00	Deleted: 11 <#>Snow Removal (Resident Sidewalks) . Per Residence . \$ 60.00 . 11 Deleted: 55.00

Payment Provisions:

Contractor's unit price shall include furnishing equipment, labor, and materials (including sand and salt), necessary to complete the work as specified. Sand and Salt mixture shall be at minimum 4 parts sand to one part salt, and should be uniformly mixed.

I. GENERAL

The work as outlined shall be carried out in conformance with the specifications relating thereto and such instructions as may be given from the Owner or Owner's Representative as designated by the Mayor. Within this contract Shive-Hattery, Inc. shall be the Owner's Representative. Materials and work shall be subject to the inspection of the Owner or Owner's Representative. The Contractor shall be held to workmanship and diligent execution of the Contract. The Contractor shall determine the appropriate scope under which to perform services and is responsible for detecting circumstances that may require immediate attention.

Contractor is advised to familiarize themselves with existing conditions and possible interferences that may affect work.

II. SCOPE

1. Snow Removal: Streets and Sidewalks

Snow removal operations shall consist of plowing all streets including designated mains in University Heights to the curb immediately when snow reaches a depth of two inches (2") or at the direction of the Owner, Owner's Representative, or University Heights Police. Snow and ice shall be removed from sidewalks at the traffic island at the Koser, Golfview, and Melrose intersection. Snow and ice shall also be removed from sidewalks at the City Park area at the same intersection.

2. Snow Removal: Street Mains

Snow removal under this portion shall consist of plowing designated mains within University Heights. The maintenance of Street Mains shall hold priority and may require additional plowing to that of all streets. Payment for the plowing of Street Mains will be based upon the number of times the Street Mains are plowed in addition to the plowing of all streets as defined in the previous paragraph (Item 1. Snow Removal: Streets and Sidewalks). Street Mains consist of Melrose, Sunset, Koser, Oakcrest Ave, and the portion of George St. south of Koser. Snow shall be removed from mains immediately when snow reaches a depth of two inches (2") or at the direction of the Owner, Owner's Representative, or University Heights Police.

3. Sanding and Salting: Streets and Sidewalks

Sanding and salting services shall consist of adequate application of sand and salt to all streets within University Heights on hills, intersections and other isolated areas as needed or at the direction of the Owner, Owner's Representative or University Heights Police.

4. Sanding and Salting: Streets Mains

Sanding and salting services shall consist of adequate application of sand and salt to Street Mains as defined in paragraph 2, Snow Removal (Street Mains), on hills, intersections, and other isolated areas as needed or at the direction of the Owner, Owner's Representative or University Heights Police.

5. Sand and Salt Barrels

The contractor shall provide and distribute barrels with chained covers filled with sand and salt to the following locations at the direction of the Owner or the Owner's Representative. Covers shall be removable as to allow access to salt and sand as needed. Barrels shall not be allowed to be less than half full and should be sufficiently anchored to the ground as to prevent tipping or unauthorized removal. Barrels will be installed between the date of the last home football game at the University of Iowa and December 1 and removed between the dates of March 1 - March 15. After removal, the contractor shall provide storage for the barrels until the next snow season. Locations for barrel installation include:

1. The intersection of Koser and Melrose
2. The north end of Golfview
3. The south side of Oakcrest, one half block west of the intersection of Oakcrest and Sunset.
4. The intersection of George and Koser.
5. The intersection of Grand Avenue and Golfview.

Deleted: ¶
<#>Snow Removal: Resident Sidewalks¶
¶
Snow removal under this portion shall consist of removing snow from individual residential sidewalks that have not been cleared of snow in a timely manner following a snow event of two inches (2") or more. Corner lots with sidewalks along each bordering street shall be billed twice the bid amount. Snow removal from such sidewalks shall be only as directed by the Owner, Owner's Representative, or University Heights Police.¶

III. INSURANCE

The Contractor agrees to secure and maintain in full force and in effect from the date this Contract is signed until the date of expiration, the following insurance policies, the cost of which shall be included in the maximum sum of this Contract:

- A. Public Liability Coverage in the amount of five hundred thousand dollars (\$500,000) each person, and one million dollars (\$1,000,000) each occurrence, and Property Damage Coverage in the amount of one hundred thousand dollars (\$100,000) each occurrence, naming the Contractor, the Owner, and the Owner's Representative as the insured.
- B. Workman's Compensation and Occupational Disease Coverage in accordance with the laws of the State of Iowa covering all employees who perform any obligations assumed under this contract.
- C. Automobile, Motor Vehicle, and Mobilized Equipment Liability Coverage on all such vehicles used in connection with this contract, whether they are owned, non-owned, or hired, with public liability limits of two hundred fifty thousand dollars (\$250,000) each occurrence, and property damage coverage in the amount of one hundred thousand dollars (\$100,000) each occurrence. The Contractor shall name University Heights as an additional insured under this policy.
- D. Insurance as described in IES-AGC-APWA General Conditions Section 6.01.

A Certificate of Insurance for all policies shall be submitted to the Owner's Representative by the insuring agent before work commences.

IV. INDEMNIFICATION

The contractor shall indemnify and save harmless the Owner and Engineer against any liens filed for non-payment of his bills in connection with the Contract work. The Contractor shall furnish the Owner satisfactory evidence that all persons who have done work or furnished materials, equipment, or service of any type under this Contract, have been fully paid prior to the acceptance of the work by the Owner.

The contractor agrees to protect, defend, indemnify, and save Owner harmless from any and all judgements, orders, decrees, awards, costs, expenses, including reasonable attorney fees, settlements, and claims arising out of or in connection with this agreement and/or arising out of or in connection with the Contractor's performance, equipment, and/or services.

V. CODES AND STANDARDS

The Contractor shall carry on the work as not to conflict with any State, County, or Municipal law. The Contractor shall obtain any permits required by any governmental agency. Cost of said permits shall be borne by the Contractor.

All work shall conform to General Conditions prepared by Joint Committee of the IES-AGC-APWS for Standard Iowa Public Works Specifications, which are hereby adopted by reference. In case of conflicts between referenced standards and State, County, or Municipal Law that establish more stringent requirements the more stringent shall be followed.

VI. PAYMENT

Payment will be made to the Contractor within thirty (30) days of receipt of invoice. Invoices shall be delivered to the City at the end of each month so that they may be reviewed prior to the Council Meeting held the next month. Council Meetings for the City of University Heights are held the second Tuesday of each month.

VII. CONTRACTOR'S RESPONSIBILITY

The Contractor assumes responsibility for the safekeeping of materials and equipment. Replacement and/or repair of property, whether public or private, damaged in the course of snow removal shall be the responsibility of the Contractor. The Contractor shall obey all traffic laws in the course of snow removal and is not exempt from prosecution of such laws at any time.

The Contractor assumes responsibility for injuries sustained to him or her self or other persons in the course of snow removal.

Services shall be carried out in a timely manner. If in the opinion of the Owner or the Owner's Representative that the Contractor is not performing to the highest standard, this contract may be terminated. The Contractor may not, at any time during the snow season between the dates of October 31 and March 31, terminate this contract without due cause.

VIII. ADDITIONAL WORK OR CHANGES

Approval from the Owner or the Owner's Representative shall be obtained prior to making any changes or commencing any work not defined within this contract. Payment will not be made for work not defined within this contract without prior approval.

IX. CONTRACT PERIOD

Contract shall become effective when signed and shall extend from October 1, 2010 through October 1, 2012.

DATE: _____ JOHNSON COUNTY REFUSE INC.
CONTRACTOR

BY: _____

ACCEPTANCE

You are hereby authorized to perform the work described in the above proposal and contract for which the undersigned agrees to pay the amount shown in said proposal according to the terms thereof.

DATE: _____ THE CITY OF UNIVERSITY HEIGHTS
OWNER

BY: _____