

February 8, 2011

Proceedings of the City Council of University Heights, Iowa, subject to approval by the Council at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

REGULAR MEETING

Mayor From called the February 2011 meeting of the University Heights City Council to order at 7:00 p.m.

Present: Mayor From. Council Members Mike Haverkamp, Rosanne Hopson, Brennan McGrath, Pat Yeggy. Staff present: Engineer Bilskemper, Attorney Ballard, Police Chief Fort, Treasurer Kimura, and Clerk Anderson. Also present were Pat Bauer, Andy Dudler, Linda Fincham, Alice Haugen, Jeff Maxwell, Doug Moore and Wally Heitman.

The minutes of the January 11, 2011 meetings of the Council were presented and approved by unanimous consent.

Public Input-Olive Court Trees: Doug Moore, of 77 Olive Court, addressed the council regarding the DNR tree report for Olive Court and the resurfacing of the street. Moore feels it is premature to resurface Olive Court at this time. Moore estimated that the entire project will take at least 5 years to be completed, if not longer. He said there is no need to widen the street now that there is a connection to Leamer Court. Moore urged the council to fix the dip in front of 25 Olive Court and suggested adding another hydrant further south on Olive Court.

Moore also addressed the DNR tree analysis Mark Vitosh, DNR Forester, completed for the city last summer. The report stated that "trees of concern" were located at 27, 55 and 77 Olive Court. Moore stated that he hired Total Tree Care to aggressively trim the tree at 77 Olive Court and installed a cobra cabling system to stabilize the tree. Moore would like the council to consider not removing the tree and he will continue to monitor and pay for any additional care. Moore also stated he plans to plant another tree near 79 Olive Court in the future with council permission.

Vitosh stated that the report was to address "trees of concern" which meant they should be monitored periodically; it did not mean they needed to be cut down immediately. From a liability standpoint, Vitosh stressed the city should know the condition for each tree in the city, a service the DNR provides free of charge. Vitosh said the trees at 25 and 77 Olive Court had the potential to split-off due to poor structure but cabling and bracing the tree at 77 Olive Court would make that situation better. Vitosh stated most cities do not cable or brace trees. He will research OSHA requirements of cabling trees.

After discussion, the council determined that the tree at 55 Olive Court and 211 Highland Drive should be removed while the tree at 77 Olive Court will remain. Engineer Bilskemper will get quotes for the next meeting. Vitosh also recommended the tree at 27 Olive Court be removed; as tree is still alive, removal would be the property owner's responsibility. Council also would like Vitosh to inspect all of the city's trees and give a report on the condition of each. Vitosh will add the request to his list; there are five projects already on the list.

Mayor's Report: A written report was presented.

MOTION by Yeggy, seconded by Haverkamp for the Mayor to proclaim designating February 13, 2011 as Sertoma Freedom Week in the City of University Heights. Carried.

Haverkamp - Aye McGrath - Aye
Hopson - Aye Yeggy - Aye
Laverman - Aye

Legal Report: A written report was presented.

Attorney Ballard stated he had spoken with Tom Gelman, lawyer for Jeff Maxwell. Maxwell anticipates submitting his PUD application for consideration by the council in April. Ballard also stated he met with John Yapp and Kent Ralston at JCCOG to begin discussion on a plan for the council to consider the PUD application. A memo will be sent to the mayor and council with their ideas and suggestions for the application process. The council will determine the process which to consider the PUD and it may be implemented once the application is received.

Ballard also spoke with John Danos, a lawyer in Des Moines, who the City has previously retained regarding municipal bonding and finance issues. Mr. Danos was contacted by a financial representative of Jeff Maxwell to discuss possible tax increment financing (TIF) possibilities. Danos suggests having an informational meeting with interested parties where he would answer questions about TIF possibilities and the process. If TIF financing is used, Maxwell would need to create a specific TIF proposal and submit to the council for consideration. The council, with Danos' guidance, would then consider the proposal. All of Danos' fees and expenses will be reimbursed by Maxwell.

Ballard stated that February 22, 2011 was considered as a possible time to have a teleconference call with Danos. Haverkamp felt it might be more helpful to have Danos physically at the meeting to answer questions. Alice Haugen commented that it would be a nice option for the public to also ask questions. Council member Hopson suggested that perhaps a smaller subcommittee, comprised of council members and UH citizens, should be formed to lead the development process. Hopson also stated it seemed the council was doing a great deal of work without knowing if the property would be sold to the developer. Maxwell commented that he is 2.5 years into this project and it continues to move forward based on certain assumptions.

Attorney Ballard commented that the PUD application will not be automatically voted on once it is received; several meetings and perhaps one or more public hearings may be needed to fully consider the application. Council member McGrath stated he felt that this process felt rushed and that citizens will also feel it is rushed if the meeting is held so soon. Hopson asked if the PUD application could be pushed back; Council member Yeggy stated the city can receive the application while learning about the process and issues. Haverkamp agreed that the process needs to start and perhaps the city could consider an early March meeting as that would give the city more time to publicize the meeting. Council directed Attorney Ballard to contact Danos to indicate the city desired to retain his services. Attorney Ballard stated he would contact Danos' to check on his availability in March.

MOTION by Haverkamp, seconded by McGrath, to adopt Resolution No. 11-01, prohibiting weapons on all property owned or controlled by the City of University Heights. **Carried.**

Haverkamp - Aye	McGrath - Aye
Hopson - Aye	Yeggy - Aye
Laverman - No	

Clerk's Report: A written report was presented. One new rental permit was received since the last council meeting. A written report on rental inspections was presented from Norm Cate, UH Rental Inspector.

Finance Report: Council member McGrath recommended the Bridge loan be paid in full. Council agreed. Steve Kuhl, accountant for University Heights, led a discussion on the projected budget for fiscal year ending June 2012. Discussion ensued that adjusted several line items of the proposed budget. It was noted the city will save approximately \$43,000 due to the new Johnson County Emergency Communication system. Also, the library levy ends on 6/30/11; the city will use the emergency levy to pay for library membership. Kuhl will recalculate the budget based on the council's recommendations and present the budget at the public hearing on March 8, 2011. The city budget will be published according to Iowa Law.

Treasurer's Report: All bills presented were presented and approved by **unanimous consent.**

**Warrants
January 12, 2011 through February 8, 2011**

Name	Amount	Name	Amount
Matthew Fort	1,265.48	Iowa Paper & Chemical	28.18
Ronald Fort	1,098.73	Racom Corporation	379.60
Benjamin Lord	675.50	ABC Solutions	24.95
Brad Reinhard	1,219.58	Norm Cate	490.00
Donald Strong	1,202.54	Terry Goerd	875.00
McLeod USA/PAETEC	134.29	Paul J. Moore	138.30
MidAmerican Energy	36.29	SEATS	703.66
MidAmerican Energy	31.31	Verizon Wireless	120.95
MidAmerican Energy	89.72	Mediacom	69.95

MidAmerican Energy	614.23	Iowa League of Cities	555.00
Christine Anderson	173.84	Staples	78.99
Matthew Fort	1,265.48	City of Iowa City	3,482.62
Ronald Fort	1,055.82	Westport Touchless Autowash	18.00
Lori Kimura	272.35	Iowa City Tire and Service	16.20
Benjamin Lord	723.66	Iowa Department of Transportation	24.00
Brad Reinhard	1,264.27	Radar Road Tec	140.00
Donald Strong	1,189.91	Ultramax	973.00
Wellmark BC/BS	1,528.42	Paul J. Moore	35.00
IPERS	67.18	Johnson County Refuse, Inc.	16,938.50
IPERS	2,530.71	VISA	132.00
Internal Revenue Service	3,494.71	Pyramid Services Inc.	136.37
Paul J. Moore	867.00	Iowa City Press-Citizen	370.72
Communications Engineering Company	48.00	MidAmerican Energy	31.71

Total Receipts

\$ 27,592.76

Total Warrants

\$ 46,611.72

Community Protection: A written report was presented by the Police Chief. The proposal to rent a heated garage was not approved; it was deemed that the city did not need a heated garage at this time. Fort also informed the council that one police officer was injured during a fight and another was hurt due to a non-work injury.

Council member Hopson addressed the council about having a Neighborhood Watch Program in University Heights. The city is already a member of Crime Stoppers. If 80% of the households participate, the city will receive signs and stickers to indicate we have a Neighborhood Watch Program. It was agreed by council for Hopson to research and present additional information at a later meeting.

Streets and Sidewalks: Council member Yeggy commented that the city had received two snowfalls since the last council meeting. A significant snowfall occurred on February 1, 2011 with the city receiving approximately 14 inches of snow. Notices to clear the sidewalk were given to four residences and 16 additional addresses were given notice that not enough width of sidewalk had been cleared. Citizens are encouraged to shovel out around fire hydrants.

Yeggy also noted citizens who had shoveled around hydrants, bus stops and storm sewers; the city thanks everyone for their assistance. Steve Smith, of Johnson County Refuse, will bring his plow to the city to clear access to storm sewers in anticipation of warmer weather this weekend.

Yeggy also gave a brief overview of the city's snow removal rules and enforcements. Yeggy stated that she tries to communicate with properties that are in violation of the ordinances and works with property owners to resolve an issue. Yeggy gives "credit" for a good attempt at following the ordinances.

Engineer Bilskemper commented on the process for the Revised Long Range Transportation Plan which will be adopted in May 2012. The plan period is from 2012-2040 and includes projects that are eligible for federal funding and projects that will be paid with local funding and will be completed within five years. Even though a project has to be listed that does not mean the project must be completed. The list will be reviewed every five years. Sunset Street and Melrose Avenue are the only streets in University Heights that might receive federal funding for projects as they are arterial streets.

MOTION by Yeggy, seconded by Hopson, to adopt Resolution No. 11-02, authorizing staff to submit the following capital transportation projects and cost estimates to the MPO of Johnson County (formerly known as Johnson County Council of Governments) for inclusion in the Revised Long Range Transportation Plan to be adopted May 2012. **Carried.**

Haverkamp - Aye	McGrath - Aye
Hopson - Aye	Yeggy - Aye
Laverman - Absent	

MOTION by McGrath, seconded by Yeggy, to adopt Resolution No. 11-03, authorizing the Mayor to sign and the Clerk to attest a revised snow removal and sanding services contract with Johnson County Refuse. **Carried.**

Haverkamp - Aye McGrath - Aye
Hopson - Aye Yeggy - Aye
Laverman – Absent

Resolution No. 11-04 was not considered as the city decided to remove the pedestrian crosswalk on Melrose Avenue at Olive Court.

Building, Zoning & Sanitation: No written report was presented. Council member Laverman left the meeting early.

E-Government: Council member Haverkamp continues to work on updates for the website and has made preliminary contacts for web design assistance.

JCCOG: A written report was presented.

Announcements: Mayor From will not be able to attend the March 8th meeting.

The meeting was adjourned by **unanimous consent at 10:25 p.m.**

Attest: Christine M. Anderson, City Clerk

Approved: Louise A. From, Mayor