

AGENDA

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

Tuesday, January 8, 2013

Location: University Club- east entrance

7:00 – 9:00 P.M.

Meeting called by Mayor Louise From

Time		Topic	Owner
7:00	Call to Order Meeting	Roll Call -Approval of Minutes- December 11, 2012	Louise From
7:01	Public Input <u>Administration</u>	Public Comments	
	Mayor City Attorney City Clerk	<u>Mayor's Report</u> -2013 Appointment announcements and Mayor's MVP's for 2012 <u>Legal Report</u> -First consideration of <u>Ordinance No. 182</u> amending Ordinance No. 120 to modify speed limits on certain city streets. <u>City Clerk Report</u>	Louise From Steve Ballard Chris Anderson
	<u>Committee Reports:</u>		
	<u>Finance</u>	Committee Report -Preliminary 2013-2014 Budget Input -CD renewals and purchases <u>Treasurer's Report/Payments</u>	Jim Lane Lori Kimura
	<u>Community Protection</u>	Committee Report Police Chief Report Community Relations Report -Committee meeting: Tuesday, Jan. 15 th -Discussion of Valentine event -Johnson County Community Foundation update of funds to city	R. Hopson/M. Haverkamp Ron Fort Rosanne Hopson
	<u>Streets and Sidewalks</u>	Committee Report <u>Engineer Report</u>	Jan Leff Josiah Bilskemper
	<u>Building, Zoning & Sanitation</u>	Committee Report Zoning Report	Brennan McGrath Pat Bauer

Time		Topic	Owner
	<u>e-Government</u>	Committee Report	Mike Haverkamp
	Announcements		Anyone
9:00	Adjournment		Louise From

Next Regular Council Meeting: Tuesday, February 12, 2013 – Location: to be announced

Mayor's Report – January 2013

Appointments:

Board of Adjustment: The Board is gender balanced with 3 women and 2 men.

Tom Breese- reappointed, his new term ends, Dec. 2017

Rachel Stewart- appointed to finish Larry Wilson's term which ends, Dec. 2014.

Zoning Commission: The commission is gender balanced with 3 women and 2 men.

Larry Wilson- appointed. His term ends, Dec. 2017.

Special thanks to **Karl Robertson** for his past service on the Commission.

Kris McLure - appointed to finish Bill Gay's term which ends, Dec. 2014.

Special thanks to **Bill Gay** for his past service on the Commission.

***Mayor's MVP's for 2012:**

Carol Ann & Scott Christiansen, Pat Yeggy and Eunice Hunzelman- the Garden Club. With the drought of 2012, it was a difficult time for most gardens, however, the University Heights garden spot was one of the most beautiful in the county. I heard from the many residents and people passing by than probably any other year about its beauty. This volunteer club depends only on donations and also assists with some plantings at our triangle park and the flower pots in front of the city office. Wow- what an awesome job!

John McLure- our city videographer. In Feb. 2012, I received an email from Ty Coleman of City Channel 4, recommending that they give University Heights council meetings a designated spot on their weekly program schedule. Ty stated, "John McLure has been doing an excellent job of providing us with his coverage of these meetings and we'd like to officially add it to our meeting line-up Thursdays, at 9 p.m." John is a dedicated volunteer and I have heard from many residents and others who have been able to now view our council meetings on TV. Super-awesome job!

Dec. 12th – attended Urbanized Area Policy Board Meeting of the MPO-JC. Highlights: I was appointed to the nominating committee to recommend a new chair for the January meeting. Discussed more Moving Ahead Toward Progress in the 21st Century- MAP-21 updates. Also reviewed some preliminary budget figures. Updated a letter to advocate the Chicago to Council Bluffs/ Omaha passenger rail service. Let me know if you have questions.

Emergency Management announcement: A Weather Spotting Class will be held at the Coralville Library Feb. 28, 6-8pm. The class is free. You will need to pre-register. I can email you the site if you want to attend. This is a very popular class.

January '13 – City Attorney's Report

1. Speed Limit Adjustment – Ordinance No. 182.

- The Council will have its first Consideration of Ordinance No. 182, which establishes speed limits on certain City streets.
- Previously, a map showing proposed speed limits was posted on the City's website and discussed at several Council meetings.
 - Generally, the map maintained a 25 mph speed limit on Melrose Avenue and on Sunset Street south of Melrose Avenue.
 - The map reduced the speed limit to 20 mph on most other City streets, except those terminating in dead-ends (Prospect Place, North Sunset Street, Mahaska Court). On those dead-end streets, the map proposed a speed limit of 10 mph.
- MPO-JC has generated an analysis of the proposed speed limits, and a copy of the report is attached.
 - MPO-JC supports all of the recommended speed limit changes except those lowering the speed limit to 10 mph on the dead-end streets.
 - Instead, MPO-JC suggests that the City use "No Outlet" signage to inform motorists that these streets do not go through. If desired, the City could also add language to the effect of "Pavement Ends in XYZ Feet" to emphasize the point.
 - (MPO-JC also mentions that the City might want to post such "No Outlet" signs just north of Melrose Avenue on Sunset Street and on Golfview Avenue to discourage cut-through traffic from Melrose Avenue.)
- I have drafted two versions of Ordinance No. 182, and each is attached.
 - The first version ("10 mph") sets the speed limits on the "dead-ends" at 10 mph as originally discussed. In other words, it does not follow the MPO-JC recommendation.
 - The second version ("MPO") makes everything aside from Melrose Avenue and Sunset Street up to Melrose Avenue 20 mph. In other words, it follows the MPO-JC recommendation.
 - I believe the Council has the discretion to adopt the version it considers to be best for the community. The possibility exists that if the "10 mph" ordinance is enacted, someone receiving a citation someday might contest the speed limit on the basis of the MPO-JC recommendation, and a Court might conclude the City Council did not have authority to enact the speed limit. I think those possibilities are fairly remote and unlikely to occur.
- Regardless of which ordinance the Council ultimately adopts (assuming the Council adopts one), I have prepared a motion setting the speed limit on Olive and Leamer Courts at 10 mph through the period of construction to the south. Both versions of Ordinance 182 grant the Council the authority to adjust speed limits in this fashion when circumstances warrant. This motion will be considered by the Council after a version of Ordinance No. 182 is adopted.

- ### 2. Summer Traffic Citations – Construction Zone.
- I am attaching a memorandum from my law partner, Patrick Ford, who prosecutes traffic and other citations issued by the University Heights Police Department. I asked Pat to prepare this after a Magistrate Judge suggested to several traffic defendants convicted of failing to obey signs that they should address their policy arguments and concerns to the City Council. Some of these motorists may do just that, so I wanted the Council to be prepared. (The attached photos showing the construction zone signs did not reproduce very well, so I'll bring hard copies, too.)

3. **Open Meetings Law – email Discussion.** I was invited to revisit my prior comments about email exchanges/threads ripening into and/or being seen as Council “meetings”, which trigger requirements of advance notice and being open to the public. I will address this and am happy to answer questions at the meeting. For now, I will say this:
- There’s no bright-line rule about emails and when or whether they become “meetings”.
 - Iowa’s Open Meetings Law defines a “meeting” as “a gathering in person or by electronic means...of a majority of the members of a governmental body where there is deliberation or action upon any matter within the scope of the governmental body’s policy-making duties”. Iowa Code § 21.2(2) (2011).
 - The more an email exchange takes place in real time (with contemporaneous and nearly immediate messages and replies – like a chat room), the more it looks like a gathering where deliberation is taking place.
 - The more time that elapses between messages, the less it looks like a “gathering”, although certainly some would argue the temporal (time) element of the analysis isn’t the key factor.
 - The main point of the Open Meetings Law is to encourage the public’s business to be done in the public. The real aim is to avoid private gatherings of a majority of a governmental body – in person or electronically – where matters are discussed and deliberation occurs, especially when that body takes action on the matter at a public meeting but without further discussion and deliberation.

ORDINANCE NO. 182 (10 mph)

AN ORDINANCE AMENDING ORDINANCE NO. 120 (TRAFFIC REGULATIONS)
TO AMEND THE SPEED LIMITS ON CERTAIN STREETS IN
THE CITY OF UNIVERSITY HEIGHTS, IOWA

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

Part I: AMENDMENTS:

University Heights Ordinance No. 120 is amended as follows (with additions indicated by double underline and deletions indicated by ~~strike through~~):

Section 7 - SPEED RESTRICTIONS.

1. **Speed Restrictions.**

A. General Speed Limit Provisions:

2. The following shall be the maximum allowable speed for any vehicles, except as otherwise modified in this Ordinance:

a. ~~Twenty (20) miles per hour in any business or commercial district.~~ Twenty-five (25) miles per hour on the following streets:

i. on any portion of Melrose Avenue;
and

ii. on any portion of Sunset Street south of its intersection with Melrose Avenue.

b. ~~Twenty five (25)~~ Twenty (20) miles per hour in any school district.

c. ~~Twenty five (25) miles per hour in any residential district; provided, however, that the Council may enact a limit of twenty (20) miles per hour upon streets or parts of~~

~~streets to be designated by the Council and identified by signs accordingly. Ten (10) miles per hour on the following streets:~~

~~i. any portion of Prospect Place;~~

~~ii. any portion of Sunset Street north of its intersection with Grand Avenue; and~~

~~iii. any portion of Mahaska Court.~~

~~d. Ten (10) miles per hour in any alley or other public place not specifically mentioned in this Section. Twenty (20) miles per hour on all public streets other than the following:~~

~~i. Melrose Avenue;~~

~~ii. Sunset Street south of its intersection with Melrose Avenue;~~

~~iii. Prospect Place;~~

~~iv. Sunset Street north of its intersection with Grand Avenue; and~~

~~v. Mahaska Court.~~

~~e. Ten (10) miles per hour in any alley or other public place not specifically mentioned in this Section.~~

~~3. "Residential district" as used herein means an R-1 single family and R-3 multiple family residential district according to the University Heights Zoning Ordinance, Ordinance No. 79. "Business district" and "commercial district" as used herein mean, respectively, a B business district and a C commercial district according to the University Heights Zoning Ordinance.~~

~~4.3. The City Council may reduce or increase speed restrictions set forth in this Section where such greater or lesser speed is reasonable and safe under the conditions presented. Signs shall be posted to give notice of such speed restrictions.~~

PART II: EFFECTIVE DATE:

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

PART III: REPEALER:

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted by the University Heights City Council on this _____ day of January, 2013, and approved this _____ day of January, 2013.

Louise From, Mayor

ATTEST:
(SEAL)

Christine Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On the ____ day of January, 2013, 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 _____, 2013.

Christine Anderson

Signed and sworn to before me on the ____ day of _____, 2013, by Christine Anderson, Clerk of the City of University Heights.

Notary Public in and for the
State of Iowa

ORDINANCE NO. 182 (MPO-JC)

AN ORDINANCE AMENDING ORDINANCE NO. 120 (TRAFFIC REGULATIONS)
TO AMEND THE SPEED LIMITS ON CERTAIN STREETS IN
THE CITY OF UNIVERSITY HEIGHTS, IOWA

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,
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i. any portion of Melrose Avenue; and

ii. any portion of Sunset Street south of its intersection with Melrose Avenue.

b. ~~Twenty five (25)~~ Twenty (20) miles per hour in any school district.

c. ~~Twenty five (25) miles per hour in any residential district; provided, however, that the Council may enact a limit of twenty (20) miles per hour upon streets or parts of~~

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PART III: REPEALER:

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Adopted by the University Heights City Council on this _____ day of January, 2013, and approved this _____ day of January, 2013.

Louise From, Mayor

ATTEST:
(SEAL)

Christine Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On the ____ day of January, 2013, 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 _____, 2013.

Christine Anderson

Signed and sworn to before me on the ____ day of _____, 2013, by Christine Anderson, Clerk of the City of University Heights.

Notary Public in and for the
State of Iowa



Date: January 4, 2013
To: Steve Ballard; University Heights Attorney
From: John Yapp; Executive Director
Kent Ralston; Assistant Transportation Planner
Re: University Heights Speed Limits

At your request staff has reviewed the proposed City Ordinance to adjust the posted speed limit on several streets within University Heights. Upon review, staff has determined that the proposal to generally reduce the posted speed limit on local streets would be beneficial from a traffic safety perspective. Our conclusions are as follows:

- Maintaining the existing 25mph posted speeds on the arterial streets (Melrose Avenue and Sunset Boulevard) as proposed is appropriate. These corridors carry high volumes of traffic during peak travel hours and provide direct access to/from arterial streets at the municipal boundaries of University Heights. Lowering posted speed limits on these corridors would likely increase cut-through traffic on adjacent local streets and prove ineffective at lowering speeds on these corridors given the existing 85th percentile speeds.

85th percentile speeds are used by traffic engineers as a measure of the “safe and reasonable” speed on a roadway. Typically speed limits are set near the 85th percentile speed so that there is voluntary compliance by the majority of motorists. If speed limits are set below the 85th percentile speed, consistent and frequent police enforcement may be necessary as a high percentage of motorists will likely violate the posted speed limit.

- The provision of 20mph zones on local and collector streets in University Heights is appropriate as many of these corridors lack complete sidewalks and ADA accessible curb ramps (maps attached), are relatively narrow, and provide on-street parking. Coupled with the fact that University Heights has one of the highest bicycle/ pedestrian commuting rates within the state at 39% (2010 American Community Survey), high volumes of pedestrians and bicyclists must share the roadway with motorists. The proposed reduction in posted speed limits may slow traffic and would provide a visual ‘cue’ to motorists that a special emphasis on safety is necessary.
- Providing a 20mph speed limit on all local and collector streets would provide motorists with a consistent message. The proposed changes would conform with many streets in University Heights that are currently posted at 20mph. Inconsistency in signage often frustrates motorists and reduces compliance.
- Providing posted 10mph zones as proposed on portions of Mahaska Court, Sunset Street, and Prospect Place is not recommended. Given that these sections of roadway are narrow dead-end streets, excessive vehicle speeds should not be a problem. Realistically, vehicles would not adhere to these posted speed limits without strict enforcement and posting speed limit signage for these streets is unnecessary. An ordinance stipulating a 20mph speed limit for these roadways, similar to others local streets in University Heights, would be appropriate.

Ensuring that these portions of roadway are marked with NO OUTLET signage will also help ensure that motorists unfamiliar with the area are not accessing these roads – thereby reducing traffic volumes and the possibility of frustrated motorists exhibiting unwanted driving behaviors.

- We recommend the existing 10mph posted speed limit on Olive and Leamer Court be increased to 20mph after construction at the south end of the block concludes – thereby providing consistency with other local streets in University Heights.
- The existing school speed limit zone sign assemblies on Oakcrest and Koser Avenue should remain in place. Although there would no longer be a reduction in posted speed limits in the school zone (if the proposed ordinance is passed), the existing school signage will provide motorists with a visual cue that extra caution should be demonstrated due to the presence of children.

All new (and existing) regulatory street signage in University Heights must conform to the retroreflectivity and size standards outlined in the Manual on Uniform Traffic Control Devices (MUTCD). The University Heights City Engineer is familiar with the manual and will be able to ensure compliance is met.

Should you have any questions regarding this analysis please don't hesitate to contact us at john-yapp@iowa-city.org or kent-ralston@iowa-city.org or by calling 319-356-5230.



SIDEWALK INVENTORY



Date Prepared: May 2012



Sidewalks

- Both Sides of Street
- None
- One Side Only

32 Street Width

University Heights Curb Ramp Inventory

August 2012



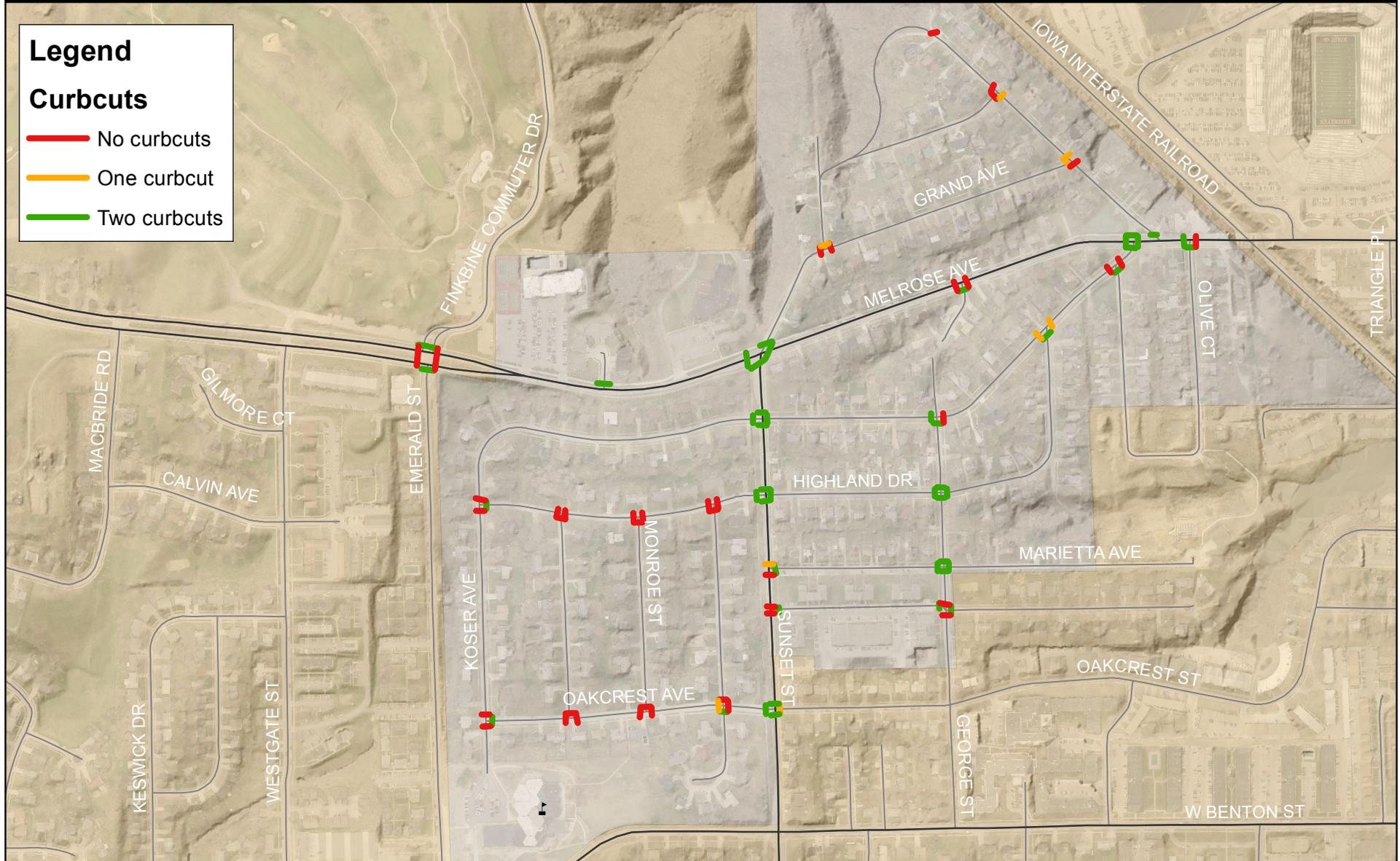
Prepared by: Kris Ackerson &
Stephanie Schrader

Data source: MPOJC and Johnson County

Legend

Curbscuts

- No curbscuts
- One curbscut
- Two curbscuts



MEMORANDUM

DATE: January 6, 2013

TO: University Heights traffic file

FROM: Patrick J. Ford

Re: citizen concern re Melrose west street improvement project

I anticipate that some citizens might attend a council meeting for the purpose of expressing concerns about how the city erected signage regarding the closing of Melrose Avenue for a street improvement project, and how the police department enforced the traffic laws during the construction period. Specifically, many citizens were upset that they received a citation for failing to obey the “road closed” signs in the area. This memorandum explains what occurred, and summarizes the concerns I heard from citizens on the day of trial.

In August, 2012, the city closed a portion of Melrose Avenue for west-bound traffic so that crews could repair a portion of the street in front of the UI Athletic Club. As with all street improvement projects, the police department issued citations to drivers who failed to obey the temporary traffic control devices placed in the construction area. Many such citations were issued by Officer Josh Beeks. For most of the citations, Officer Beeks parked his squad car on the west end of the construction area, observed drivers illegally maneuver around the “Road Closed” signs, and issued citations to those drivers after they had already made it through the construction zone.

Shortly after the project was completed, Officer Beeks had to leave town to attend a 14-week training session at the Iowa Law Enforcement Academy in Des Moines. All of the citations Officer Beeks issued were scheduled for trial on several different days when he was to be at the academy. Therefore, I filed a motion in each such case requesting that trial be rescheduled to a date after his return. The court granted my motions, but the clerk of court oddly re-set trial in each case on the same day. This resulted in a very unusual situation – on December 21, 2012, the traffic court docket consisted of twelve cases, all of which were for drivers who were cited for disobeying the temporary signs placed to control traffic during the Melrose west street

improvement project. The evidence in each case was nearly identical, and none of the defendants were represented by a lawyer.

Attached to this memo are copies of three photographs I used as evidence in each trial. The photograph marked as "Exhibit A" shows a "ROAD CLOSED AHEAD" sign placed near the sidewalk on Melrose Avenue, for traffic approaching the Sunset Street intersection. The background of this photograph also shows the barricade placed at the Sunset Street intersection.

The photograph marked as "Exhibit B" shows the same barricade depicted in the background of Exhibit A. The barricade plainly had two signs affixed to it: the top sign reads, "ROAD CLOSED TO THRU TRAFFIC"; the bottom sign reads, "DETOUR", and points drivers to turn south onto Sunset Street. (The entire detour route was clearly marked, and guided traffic to travel south on Sunset Street, then west on Benton Street, then north on Mormon Trek Boulevard back to Melrose Avenue.) The barricade shown in Exhibit B was placed in the far outside lane of westbound Melrose Avenue, which is a very short lane for southbound vehicles on Sunset Street to turn west onto Melrose Avenue. This barricade did not block traffic in the main westbound lane of Melrose Avenue. A driver could travel past this sign without violating the law, because Melrose Avenue immediately west of this sign was closed only to "through traffic". In other words, traffic was not allowed to continue west on Melrose Avenue through the construction area, but drivers were allowed to drive past this sign for the purpose of accessing St. Andrew Church, the homes on Birkdale Court, and the UI Athletic Club.

The photograph marked as "Exhibit C" shows another barricade marking the beginning of the construction area where the road was closed to westbound traffic. This barricade had flashing lights on the top, and a sign that clearly read "ROAD CLOSED". This barricade was placed directly in the middle of the westbound lane, just to the west side of the east driveway into the UI Athletic Club parking lot. If a driver made it past the first barricade (shown in Exhibit B), he or she had the opportunity to turn around in the parking lot, and then travel back east on Melrose Avenue. Traffic was not permitted to proceed further west.

The defendant in the very first case on December 21, 2012, gave very emotional testimony. Her argument was essentially two-fold: her first main argument was that the signage was confusing, and didn't clearly indicate that the road was closed to westbound traffic. As she approached the area, she could see that the *eastbound* lane of Melrose Avenue was open, and did not understand that only the *westbound* lane was closed. Therefore, because eastbound traffic was proceeding through the area, she

believed that the road wasn't really closed, and that the signs and barricades were going to be removed shortly.

Her second main argument was that she believed that objective of the police department should have been to proactively prevent drivers from entering the area, rather than reactively issue citations to drivers who did so. Although I'm not certain, I believe this argument stemmed somewhat from the photograph shown in Exhibit C. This photograph shows a squad car protruding into Melrose Avenue just to the east side of the final barricade. She testified that there was no squad car parked like that when she entered the area, and if there had there been one, she would have known (or likely been told by an officer in that car) that the road was closed and she could not continue west. It is simply unfortunate that the photograph shows the squad car. The car was momentarily parked there just for the short time it took the officer to take the picture. The squad car is shown parked (with the driver's door open) in the driveway into the Athletic Club. Obviously, the police department wanted drivers to be able to enter the driveway for the purpose of turning around and returning to the east. There was no room for a squad car to be permanently parked there, and still allow traffic to enter and exit the driveway.

Ultimately, the judge convicted the defendant in the first case. Thereafter, many of the remaining defendants gave similar arguments. Toward the end of the morning, several defendants argued that the mere fact that there were so many cases involving the exact same issue was evidence in itself that the signage was confusing. Many drivers reiterated the first defendant's arguments regarding the desire for the officers to proactively prevent violations rather than to reactively issue citations to drivers who disobeyed the law. In response, the judge indicated in open court that a citizen should raise such concerns (about the police department's *policy* regarding how the signage should be enforced) with the city council, rather than at trial, because the judge's role is simply to determine if the defendant disobeyed the law, not to give an opinion about what the law should be, or whether the police should or could have done something more or different under the circumstances. (Incidentally, it is not unusual for a judge to give such direction during or after a trial. For instance, I've heard several citizens argue that the speed limit should be higher on Melrose Avenue. The judge always responds by indicating that such policy decisions are the prerogative of the council, rather than the court.)

In preparing for trial, I confirmed that the signage conformed with the requirements of Iowa law, including the direction of the Manual on Uniform Traffic Control Devices adopted by the Iowa Department of Transportation. However, I have also considered what might have made the signage clearer, in light of the arguments I

repeatedly heard at trial. Perhaps if the signage had indicated that the road was closed specifically for westbound traffic only, some drivers might have better understood what was required of them. Again, the proper signs were located in the proper places -- the city complied with the law in this regard. In any event, I anticipate that some citizens might attend a council meeting for the purpose of expressing their frustration with this matter. Some drivers clearly thought the city and the police department should have done more.

pjf/UH/memo re Melrose street improvement project 0113

ROAD
CLOSED
AHEAD

EXHIBIT
A

tabbles®





tabbles®
EXHIBIT
B



tabbles
EXHIBIT
2

**ROAD
CLOSED**

UNIVERSITY
PROT

UNIVERSITY

**City Clerk Report
January 2013**

- **One rental permit received since the last meeting:
624 Grandview Court**
- **One new building permits received since the last meeting:
310 Golfview Avenue – Kitchen remodel-removing a partition**

Report from Norm:

A quiet month for inspections. Four properties were re-inspected to insure code compliance.

1202 Melrose Ave was investigated for possible over occupancy. As I stated in a previous email, I received an over occupancy complaint regarding 1202 Melrose Ave on Sunday night, December 9. On December 10, I went to the house and spoke with the grandmother who was there visiting her son and daughter and was just getting ready to head back to Arizona.

I then spoke with 1202 Melrose Ave owner Nichole Slabach and she stated that all the tenants at 1202 Melrose Ave are related. Rachelle and Zack Grogret are sister and brother and Rachelle has three children living with her from previous marriages. They are the same tenants that were there when I inspected in Jan. of 2011, and Nichole tells me that they have been there for 4 or 5 years.

Treasurer's Report

December 2012

Our total revenue for the month of December was \$44,252.38 comprised of the following amounts:

Property Taxes	\$ 9,499.51
Local Option Sales Tax	\$ 10,168.13
Parking fines	\$ 385.00
Traffic Fines from Clerk of Court	\$ 6,743.36
Interest on bank accounts/CD's	\$ 173.23
Road Use Funds	\$ 8,184.38
Rental Permits	\$ 200.00
Police Reports	\$ 7.00
Governors Traffic Safety Grant	\$ 5,099.86
Building permits	\$ 145.60
Parking permits	\$ 40.00
Reimbursement from State-final from Stimulus funds	\$ 3,606.31

Balances in the bank accounts as of 12/31/12:

MidwestOne Checking Account	\$240,376.76
Hills Bank Money Market Account	\$ 1,037.65
CD at UICCU (due 2/28/14)	\$ 41,664.05
CD at UICCU (due 5/25/14)	\$ 50,162.08
CD at UICCU (due 8/25/13)	\$ 50,107.12
CD at UICCU (due 1/29/13)	\$ 50,280.68
CD at Hills Bank (due (8/20/13)	\$ 22,669.94
Forfeiture Fund	\$ 2,298.50

We received the final check from the State of Iowa for the Melrose-Sunset St panel replacement project that was done in fall 2010. The city was awarded \$50,000 in Stimulus Funds and had received a big portion of it in 2010. The final work was completed in May 2012, the final paperwork sent in to the State in September 2012, and finally a check sent in December to replace the check that had apparently been sent and lost.

On the list of Warrants there is a check to reimburse Rosanne \$66.85 for supplies for the Breakfast with Santa Event that the Community Relations Committee hosted in December. Once we get a bill from the UI Athletic Club for \$50, this will put her over the \$100 limit that council approved to put towards the cost of the event. Based on the success of the breakfast, I took the liberty of preparing a check for the full amount assuming it would be approved.

City of University Heights, Iowa
Warrants for Council Approval
 December 12, 2012 through January 8, 2013

Date	Name	Memo	Amount
Dec 12, '12 - Jan 8, 13			
12/13/2012	Hawkeye Abstract Company	abstractors fee for 300 Koser	-300.00
12/13/2012	Johnson County Treasurer	2011-12 property taxes for 300 Koser Ave	-75.75
12/13/2012	Johnson County Recorder	recording fees for 300 Koser	-70.00
12/13/2012	Johnson County Recorder	transfer tax for 300 Koser Ave	-7.20
12/13/2012	David & Joni Timmerman Co-...	VOID: ck made out incorrectly	0.00
12/13/2012	Andrea and Derek Timmerman	40% of proceeds for 300 Koser Ave	-1,969.70
12/13/2012	David & Joni Timmerman Co-...	60% of proceeds for 300 Koser	-2,954.55
12/13/2012	D & N Fence Co Inc	rpl fence along sidewalk by storm sewer Golfview	-880.00
12/13/2012	Hawkeye Abstract Company	abstractors fee for 536 Mahaska Ct	-300.00
12/13/2012	Johnson County Treasurer	2011-12 property taxes for 536 Mahaska Ct	-51.95
12/13/2012	Johnson County Recorder	recording fees for 536 Mahaska Ct Forbes	-53.00
12/13/2012	Johnson County Recorder	transfer tax for 536 Mahaska Ct Forbes	-15.20
12/13/2012	Andrew & Tori Forbes	proceeds for 536 Mahaska Ct	-9,912.05
12/13/2012	Hawkeye Abstract Company	abstractors fee for 526 Mahaska Ct	-300.00
12/13/2012	Johnson County Treasurer	2011-12 property taxes for 526 Mahaska Ct	-32.45
12/13/2012	Johnson County Recorder	transfer tax for 526 Mahaska Ct Aanestad	-14.40
12/13/2012	Johnson County Recorder	recording fees for 526 Mahaska Ct Aanestad	-46.00
12/13/2012	Christian & Jaqueline Aanestad	proceeds for 526 Mahaska Ct	-8,968.55
12/14/2012	City of Iowa City	City Hall water/sewer automatic payment	-16.36
12/14/2012	Beeks, Joshua W		-1,234.63
12/14/2012	Fort, Matthew A		-1,433.89
12/14/2012	Fort, Ronald R		-1,587.79
12/14/2012	Plate, Harold,		-217.87
12/14/2012	Stenda, Jeremy P		-1,408.09
12/14/2012	Tucker, Darryl		-1,313.13
12/18/2012	Internal Revenue Service	42-1109342	-2,637.69
12/21/2012	Windstream	automatic payment for phone service	-138.75
12/21/2012	MidAmerican Energy	pedestrian lights at 113 Golfview	-33.62
12/21/2012	MidAmerican Energy	1301 Melrose stop light	-34.20
12/21/2012	MidAmerican Energy	1011 Melrose stop light	-34.69
12/21/2012	MidAmerican Energy	City Hall electricity	-65.91
12/26/2012	MidAmerican Energy	street lights	-622.44
12/28/2012	Anderson, Christine M.		-268.23
12/28/2012	Beeks, Joshua W		-1,204.14
12/28/2012	Fort, Matthew A		-1,349.33
12/28/2012	Fort, Ronald R		-1,316.09
12/28/2012	From, Louise A.		-463.97
12/28/2012	Haverkamp, Michael J		-177.14
12/28/2012	Hopson, Rosanne C		-188.70
12/28/2012	Kimura, Lori D.		-273.20
12/28/2012	Lane, James		-188.70
12/28/2012	Leff, Janet S		-188.70
12/28/2012	McGrath, Brennan		-188.70

City of University Heights, Iowa
Warrants for Council Approval
 December 12, 2012 through January 8, 2013

Date	Name	Memo	Amount
12/28/2012	Plate, Harold,		-176.70
12/28/2012	Stenda, Jeremy P		-1,351.75
12/28/2012	Tucker, Darryl		-1,370.31
12/28/2012	Wellmark BC/BS	monthly insurance payment	-2,005.74
12/31/2012	Internal Revenue Service	42-1109342	-2,787.75
12/31/2012	IOWA PUBLIC EMPLOYEES ...		-3,293.00
12/31/2012	IOWA PUBLIC EMPLOYEES ...		-130.44
12/31/2012	IOWA WORKFORCE DEVEL...	107319-6	-31.65
12/31/2012	TREASURER STATE OF IO...	42-1109342-001	-3,278.00
1/1/2013	Paul J. Moore, Melrose Aven...	City Hall Rent	-867.00
1/1/2013	Verizon Wireless	monthly wire service/cell phone for police car a...	-114.13
1/8/2013	ABC Solutions	Monthly fee for city website/email service	-24.95
1/8/2013	SEATS	Seats Payment	-703.66
1/8/2013	Paul J. Moore, Melrose Aven...	Garage rent	-35.00
1/8/2013	Big Ten University Towing, Inc	tow police car (unit #2) to Pyramid	-85.00
1/8/2013	City of Coralville	fire protection services January 1 - June 30, 20...	-14,859.00
1/8/2013	City of Iowa City	bus, fuel for police vehicles	-4,054.19
1/8/2013	Iowa City Tire and Service	snow tires for Ford Explorer	-635.36
1/8/2013	Iowa City Press-Citizen	December publications	-229.66
1/8/2013	Johnson County Refuse, Inc.	December recycling	-1,738.50
1/8/2013	Kieck's Career Apparel	2 pair of uniform pants for Beeks	-162.00
1/8/2013	Mediacom	online service 1/3/13-2/2/13	-69.95
1/8/2013	Norm Cate	inspection services for December	-280.00
1/8/2013	Terry GoerdT	inspection services for December	-350.00
1/8/2013	Pyramid Services Inc.	oil change	-47.10
1/8/2013	Shive Hattery	engineering fees 12/1/12-12/31/12	-1,840.60
1/8/2013	Anderson, Christine M.	reimbursement for mailing annual report	-5.84
1/8/2013	Iowa City Area Chamber of C...	membership dues for 2013	-381.00
1/8/2013	City of Coralville	library services 2012-13	-4,061.00
1/8/2013	Staples	printer cartridge	-20.49
1/8/2013	Hopson, Rosanne C	reimbursement for Breakfast with Santa	-66.85
1/8/2013	VISA	water & cooler rental/memory stick/binder tabs	-41.87

Dec 12, '12 - Jan 8, 13

MEMORANDUM

TO: University Heights, Mayor, Council, and Staff
FROM: Josiah Bilskemper, P.E.
DATE: January 7, 2013
RE: City Engineer's Report

(1) Sunset Street Wide Sidewalk [STP-E-7855(607)—8V-52]

- a. Shive-Hattery submitted final plans and documentation to DOT on December 18, 2012. This is in accordance with a March 19, 2013 letting date.
- b. Reimbursement Request #1 (design engineering fees) was submitted to DOT on December 20, 2012. The federal reimbursement rate per the DOT project agreement is 80% of the invoices submitted (up to \$215,000). A reimbursement amount of \$29,247.18 is pending DOT review for this first request.
- c. Reimbursement Request #2 (right-of-way and easement costs) has been prepared, but has not been submitted yet as there were 16 separate checks issued that need to be deposited, and verification PDF images obtained from the bank. If there are just a few outstanding, we'll submit the bulk of these to get the process moving.
- d. *Final plans will be submitted to the DOT on December 18th, in accordance with the schedule for a March 19, 2013 letting date by Iowa DOT. (December Mtg.)*

(2) 2012 Pavement Condition Data

- a. Last week we received the raw street condition data from the Iowa Pavement Management Program (IPMP). Their data collection vehicle drove each street in University Heights on July 16, 2012. We are in the process of sorting the data and associated maps. This is the second round of pavement condition data collection, the first being in 2010. We will send out a summary of the data once it is completed.

(3) 2012 Street Improvements

- a. No additional request for payment received for the January meeting.
- b. *Eggleston Concrete Contractors has completed storm sewer work on Oakcrest Avenue. Council will be considering the second pay application for the 2012 Streets Improvement project in the amount of \$20,748. Retainage in the amount of 5% (\$4,100) will be withheld until all final paperwork and maintenance bonds have been submitted. (October Mtg.)*
- c. *Pay Application #1 (\$56,973.86) has been submitted based on field measurements, and we have recommended approval for the September meeting. (September Mtg.)*



(4) Lot 115 – University Heights First Addition

- a. Steve Ballard, Terry Goerd, and I met on December 18 to review the current materials submitted by MMS Engineers related to a planned home to be built on Lot 115, which is the vacant square lot located at the south end of the Highland Drive “spur” (adjacent to the west side of the Lytham Condominium development on the old Neuzil property).
- b. I met a second time with Scott Pottorff of MMS Engineers on December 20 to review an updated version of their draft site plan, sensitive areas plan, and storm sewer easement layout. The plans were reviewed and I provided comments on components of the documents that need to be added, revised, or more fully developed.
- c. Terry Goerd will be responsible for handling the building permit. I will handle review of the proposed changes to the storm sewer, review sensitive areas plans, and any work in the right-of-way permits related to driveway construction and water/sewer connections. Water and sewer service to the new house would also need to be reviewed and approved by City of Iowa City and Johnson County public health (sanitary sewer pump station). Terry, Steve and I are all involved in general review of the proposal for conformance with city ordinances.
- d. Based on what we have seen to date, we expect council action would be required for approval of the sensitive areas plan documents, and also the vacation of the existing storm sewer easement, and approval of new storm sewer and associated easement through the lot on a different alignment.
- e. There is no official submittal at this time. The Lot 115 property owner is working with the adjacent resident to the north to reappportion an existing auditor’s parcel to square the lot line between the two properties. As of my December 20 meeting with MMS, this process was still on-going with the two residents. My understanding is that the final lot line location needs to be settled before the process of plans, reviews, submittals, etc. proceeds any further.
- f. *Last week (12/7) I met with MMS Engineering who is drafting site and utility plans for this home. The proposal is notable in that it would remove an existing city storm sewer across the lot, and construct new storm sewer pipe around to the south side of the lot. This new storm sewer routing would become part of the city’s storm sewer system, and would require the vacation of an existing storm sewer easement across the lot, and the creation of a new storm sewer easement across the lot. It would also involve new water and sanitary sewer services to be coordinated with City of Iowa City and Johnson County Public Health, and a sensitive areas site plan due to existing and proposed slopes on the lot. (December Mtg.)*

Please feel free to contact me if you have any questions about these or any other items.

JDB

University Heights January 2013 eGovernment Report

U-H Website Updates/Statistics December 1- 31, 2012

- **December 31, 2012**
 - Christmas tree pickup dates 1/8 and 1/15
- **December 23, 2012**
 - Garbage/Recycling date changes 12/26 and 1/2
- **December 14, 2012**
 - Dec. 11 Council meeting web stream
- **December 12, 2012**
 - Community relations report
 - Approved Ordinance 181 (corrected)
- **December 10, 2012**
 - Dec. 11 Council meeting agenda & attachments (12)
 - Nov. 19 special council meeting minutes
 - Nov. 29 special council meeting minutes
- **December 9, 2012**
 - Dec. 11 Council Meeting
 - Eleanor Marshall article in Yale Daily News Magazine
 - Santa Visit Recap

Monthly Statistics for December 2012 from Webalyzer

Total Hits	27276
Total Files	19348
Total Pages	8104
Total Visits	4657
Total KBytes	5310697
Total Unique Sites	2573
Total Unique URLs	1116
Total Unique Referrers	843
Total Unique User Agents	703
Average Visits per Day	151

Web Statistics from Stat Counter December 2012

	Page Loads	Unique Visits	First Time Visits	Returning Visits
Total	851	606	465	141
Average	27	20	15	5

University Heights City Council Meeting Webcasts

Viewing Statistics From EarthChannel

Month	Sessions	On demand Hits	Podcasts	Total Hits
December	15	43	14	124

**University Heights eGovernment Report
2012 Comprehensive Summary**

U-Heights Council Meetings

- Weekly Council Meeting replay is now on Iowa City Cable Channel 4 at 9 PM Thursdays
- “On Demand” viewing available on Iowa City Cable Channel 5 since March
- Regular monthly meetings are all available for webcast. Webcasts upgraded in October to allow for viewing on tablets and smartphones.

Viewing Statistics From EarthChannel

Month	Sessions	On demand Hits	Podcasts	Total Hits
January				70
February				609
March				209
April				NA
May				528
June				99
July				47
August				110
September				60
October	21	55	41	199
November	8	19	18	75
December	15	43	14	124

In October of 2012, IC Cable Channel 4 upgraded their service from version 3 of the EarthChannel software to version 4. In addition to better quality video and access from mobile web browsers, version 4 also provides more accurate statistics, which is reflected in the chart. The ambiguous standard of ‘hits’ has been fleshed out to include ‘sessions,’ ‘on-demand hits’ and ‘podcasts.’

A ‘hit’ is any interaction with the video player. Accessing a page with our player embedded produces a hit, even if the user doesn’t actually click the player. We have had cases where a single user’s computer was automatically refreshing on a player page left open, generating hundreds of ‘hits,’ even though nobody was actually watching the video.

A ‘session’ is an interaction or group of interactions with a particular video, and reflects the number of times any user watched a video.

An ‘on-demand hit’ is the number of times that the player was actually clicked on.

For instance, if you sit down to watch a council meeting, that is one session. If, during that session, you click once on the ‘Mayor’s Report’ index point, and once on the ‘e-government index point, that’s 2 on-demand hits. If you click back on the timeline to rewind a portion to watch it again, that’s another on-demand hit.

Podcasts are the number of times that the audio podcast version of the meeting was downloaded. This number is also included in the number of total hits, since each download entails one interaction with the player. (Continued)

Consequently, we have pretty good statistics for the last three meetings, but only raw hits are available for the first eight meetings (The April meeting was not taped).

U-Heights Website

Website Updates per Month

Jan	Feb	Mar`	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2012 TOTAL
14	9	15	8	9	8	9	10	6	10	10	6	114

“Updates” refers to new or revised information that is placed on the city’s website. Changes that are routine or “housekeeping” in nature are not counted.

Average Monthly Website Visits per Day

	Jan	Feb	Mar`	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
webalyzer	91	102	112	115	127	135	133	129	144	160	153	151
statcounter						21 16/5	21 16/5	24 18/6	22 16/6	22 16/6	23 16/7	20 15/5

“Webalyzer” is the statistics package that comes as a part of our web services suite. The number above refers to the number of unique visitors to the U-Heights webpage each day. Webalyzer does not distinguish between human and robotic visitors.

“Statcounter” is a free web service that U-Heights subscribes to for web statistics. The top numbers above refer to the average number of unique daily visitors based on a “cookie” that is left on a computer when visiting. The bottom numbers are the *first time visitors/returning visitors*