

January 12, 2016

Proceedings of the City Council of University Heights, Iowa, held at Horn School, 600 Koser Avenue, subject to approval by the Council at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

REGULAR MEETING

Mayor Heitman called the January 2016 meeting of the University Heights City Council to order at 7:04 p.m.

Present: Mayor Heitman. Council Members: Mike Haverkamp, Jim Lane, Dotti Maher, Silvia Quezada and Jerry Zimmermann. Staff present: Attorney Steve Ballard, City Clerk Anderson, Engineer Bilskemper, Police Chief Stanley and Treasurer Kimura. Also present were: Shahzad Ali, Kathie Belgum, Carolyn Brown, Andy Dudler, Ann Dudler, Barb Gienapp, Sam Gienapp, Terry Goerd, Lucille Heitman, Jase Humphrey, Chris Jones, Kris Lyon, Stan Laverman, Jeff Maxwell, Liesa Moore, Jakub Schmitz, Nick Sherman, Lee Simcox, Jane Swails, Larry Wilson, Mary Mathew Wilson, Ken Yeggy and Pat Yeggy.

The minutes of the December 15, 2015 council meeting were approved by unanimous consent.

Attorney Ballard swore in the Mayor and city council.

Police Chief Stanley introduced the members of the police department: Chris Jones, Kris Lyon, Jakub Schmitz, Nick Sherman and Lee Simcox. Stanley stated that all are certified police officers; the first time for the department.

Updates of One University Place Construction and Ravine: Jeff Maxwell, developer of One University Place (OUP), updated the council regarding progress of the construction. Maxwell stated the weather has slowed down their masonry work. On the 13th, one-third of the underground parking floor will be poured. Maxwell said he is “pleased” with the progress to date. Council member Haverkamp asked if the project was on-target to have the front building enclosed by the end of January; Maxwell replied “they were not quite there” to meet that original projection.

Request to Divide the OUP development into Two Parcels: There was council discussion on Attorney Ballard’s comment that no approval was required by state law or city ordinance regarding the filing of the Plat of Survey dividing the OUP property into two parcels, the north and south parcel, and whether the division was consistent with the PUD documents and TIF agreement. Questions were asked if the condominium document filed for the southern parcel only complied with the aforementioned items. In the PUD, the developer will give to the city the ravine but in the southern parcel Condominium Declaration it does not mention if a portion of the southern Auditor’s Plat is also transferred.

In the PUD, if the city becomes the owner of a commercial unit, not only is it a voting member of the Association a city representative would be appointed to serve on the Board of Directors. If the property is divided, the city potentially would be a voting member and on the Board for only one condominium association, not both.

Attorney Ballard was requested to identify the aspects of the PUD and TIF agreements that may be inconsistent with the condominium declaration and suggest amendments to the agreements that would be appropriate. Council member Zimmermann stated he would like the inconsistencies remedied so this is not a “contentious interaction” and engage the OUP representatives to resolve the issues and make clear their intentions and the language. Zimmermann requested the city’s expenses for Ballard to review these items be reimbursed by Maxwell and that Maxwell not be given a credit toward this reimbursement based on permit fees; Maxwell agreed he would pay for this expense and not have it credited against the paid fees.

Hire Independent Building Inspector to Oversee OUP project: Zimmerman addressed the need to hire an independent building inspector and knows of an individual who would be qualified. The inspector would work in conjunction with Terry Goerd, the city’s Building Inspector, and the developer, and would report to the council as an “independent source of information”.

Council member Lane said he “has no interest” in hiring an independent building inspector and stated that the city has an “excellent inspector”. Quezada stated she wanted “on-site oversight” of the project, so there is no repeat of the ravine incident and ensure the project is executed in consistency with the PUD documents. Haverkamp commented that he did not “see the need for an independent contractor in a project that is not our project”.

Haverkamp asked Goerd to address the council and answer questions about hiring an additional inspector. Goerd stated he is on-site three to four days each week, speaks with the project manager and receives reports on their activities. Goerd stated the developer signed a special inspection agreement prior to the building permit being issued. Special inspection agreements are common for bigger projects to ensure that regulations are being met. Goerd stated he is certified for building, electrical,

plumbing and mechanical, fuel, gas, and fire activities. Goerdts stated the only time there is an independent inspector is when funding is involved by the city.

Council member Maher stated “the basic trust” was affected with the ravine issues and the community is “unsettled”. By having an independent inspector this would help assure the community. Maher commented that the cost to hire this person is a concern for her and she would like more information.

MOTION by Zimmermann, seconded by Quezada, to contact Glen Siders for scope of work, cost and information regarding services to monitor the OUP project development, on behalf of the city. Discussion. Zimmermann called for the previous question, Quezada seconded, there was no objection, debate was closed, and a vote was taken to adopt the motion to contact Glen Siders. **Carried.**

Haverkamp - No	Lane - No
Maher - Aye	Quezada - Aye
Zimmermann- Aye	

MOTION by Quezada, seconded by Haverkamp, to authorize council member Zimmermann to contact Glen Siders, on behalf of the council. Discussion. Quezada moved to close debate, Zimmermann seconded. **Carried.**

A vote was then taken on the motion for Zimmerman to contact Glen Siders. **Carried.**

Haverkamp - Aye	Lane - Aye
Maher - Aye	Quezada - Aye
Zimmermann- Aye	

Comments on Attorney Ballard’s comments regarding OUP at December meeting regarding subdivision: Quezada stated the comments had been addressed under the OUP subdivision portion of the meeting.

Public Comments: The following addressed the council with their concerns:

Pat Bauer – 338 Koser Avenue	Jeff Maxwell – OUP developer
Jane Swails – 333 Koser Avenue	Kathie Belgum – 104 Sunset Street

Mayor’s Report: A written report was presented. Heitman stated he wants to promote civility on the council and to “work for the benefit of the community”.

The Iowa City Senior Center will have a lecture on the history of University Heights, March 7th, at 2:00 pm in Room 208. There will be a lecture on the railroad coming to Iowa City in 1860 on February 1st, at 2:00 pm in Room 208. Heitman is considering alternative sites for the Farmers Market.

Legal Report: A written report was presented.

Clerk’s Report: A written report was presented.

MOTION by Haverkamp, seconded by Zimmermann, to approve Resolution No. 16-02, adopting a policy concerning the recording, publication, and keeping of minutes of Council meetings.

After council discussion, both motions were withdrawn with no objections. The council asked that Clerk Anderson report back at the next council meeting with answers to their questions and comments.

Council member Quezada will draft a policy regarding record keep of meeting audio recordings for consideration at the next council meeting.

Council member Haverkamp will research a new microphone and/or recorder for audio-taping the council meetings.

Finance Report: A verbal report was presented. Council member Lane distributed and budget timeline and financial information on city contracts to the council.

Treasurer’s Report: A written report was presented. All bills presented were approved for payment by **unanimous consent.**

Warrants
December 16, 2015 through January 12, 201

Name	Amount	Name	Amount
MidAmerican Energy	55.58	Tri Tech Forensics	215.00
Christian Jones	1,743.12	Internet Navigator	24.95
Kristofer Lyon	1,241.53	Shive Hattery	3,860.99
Jakub Schmitz	1,213.53	Leff Law Firm, L.L.P.	7,225.00
Nicholas Sherman	1,510.46	Terry Goerd	1,085.00
Levio Simcox	1,146.97	Iowa City School District	90.00
Harold Plate	162.80	VISA	415.99
Kenneth Stanley	1,575.49	VISA	8.48
Carla Aldrich	184.70	VISA	892.04
Louise From	454.14	Pyramid Services Inc.	92.91
Michael Haverkamp	172.80	Domain Listings	105.00
James Lane	184.70	City of Coralville	15,508.50
Virginia Miller	184.70	Brad Wiley	100.00
Silvia Quezada	184.70	Alex Cross	158.20
Christine Anderson	394.99	Wellmark BC/BS	2,602.05
Lori Kimura	251.04	Internal Revenue Service	3,282.62
Paul Moore	1,374.23	IPERS	209.32
City of Iowa City	14.22	IPERS	3,743.70
Verizon Wireless	120.05	MidAmerican Energy	36.82
Stan Laverman	500.00	MidAmerican Energy	33.47
SEATS	703.66	MidAmerican Energy	28.57
City of Iowa City	3,974.03	MidAmerican Energy	644.78
Johnson County Refuse, Inc.	1,738.50	Hawkeye Construction & Snow Removal	4,347.50
Mediacom	109.95	Iowa Workforce Development	437.87
Iowa City Press-Citizen	473.53	Treasurer State of Iowa	3831.00
Safeguard Business Systems	320.41		

General Fund - \$ 49,771.89 Road Use Tax - \$ 5,091.14 Employee Benefits Fund - \$ 14,106.56

Total Receipts \$ 49,678.77 Total Warrants \$ 68,969.59

Building, Zoning, and Sanitation: A written report was presented by council member Quezada. There was no report for the Zoning Commission or for the Board of Adjustment.

MOTION by Quezada, seconded by Maher, to approve third consideration of Ordinance No. 192, adopting the 2015 International Building Code, Plumbing Code, Electrical Code, Residential Code, and Property Maintenance Code with amendments. **Carried.**

Haverkamp - Aye Lane - Aye
 Maher - Aye Quezada - Aye
 Zimmermann- Aye

The “Lights in the Heights: Luminary Walk 2015” was held December 31st. Quezada thanked the volunteers and donors who helped make the event a success.

A representative from the Johnson County Assessor’s office will come to the February council meeting to discuss property assessments in the city.

Quezada stated she will seek three competitive bids for the acquisition of a rental tracking software. Zimmermann stated he felt policies and enforcement are more critical than purchasing rental software.

Community Protection: A verbal report was presented by Police Chief Stanley. There was no report presented by council members Maher and Zimmermann. Stanley stated that he and two officers worked New Year’s Eve and arrested two drunk drivers.

Streets and Sidewalks: Council member Maher and the City Engineer presented written reports. Maher stated 27 properties received notification for non-compliance for clearing their sidewalks 24 hours after a snowfall. Maher would like to issue a

Request for Proposals (RFP) for the city to contract with a company to clear the non-complying sidewalks and bill the property owner for the expense. Zimmermann suggested adding contact information for companies citizens could call for service. Maher wants a procedure in place for the city to proceed with snow removal for non-compliant properties.

Maier addressed the speeding problems at the Sunset Street and Oak Crest Avenue. Maier is concerned about the traffic speed at the cross-walk; especially for the children and city cross-guard. Zimmermann stated he like having police officers stationed at the crosswalk each day, to deter speeding. Stanley suggested installing a camera and radar device to document speeders; he will present information at the next council meeting.

Discussion on the need for a subdivision ordinance for the city was tabled until the next council meeting.

MOTION by Haverkamp, seconded by Quezada, to remove street signs as outlined in City Engineer Bilskemper’s report. (color coded green) **Carried.**

Haverkamp - Aye	Lane - Aye
Maier - Aye	Quezada - Aye
Zimmermann– Aye	

eGovernment: A written report was presented. Haverkamp is researching the creation of a Google domain for the city. Haverkamp said would streamline the storage of documents and allow for sharing of documents between councilors, staff and the mayor.

Announcements: Community Vision meeting on January 19th at 7:30 pm at the University Club. Voting for the Johnson County Board of Supervisor special election will be held at the UI Athletic Hall of Fame Building on January 19th. Mary Mathew Wilson suggested that seasonal flyers be distributed to citizens.

MOTION at 10:30 p.m. by Haverkamp, seconded by Lane that the council holds a closed session pursuant to Iowa Code section 21.5(1)(i) to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the City. **Carried.**

Haverkamp - Aye	Lane - Aye
Maier - Aye	Quezada - Aye
Zimmermann– Aye	

The Council then met in closed session. Regular session of the council meeting reconvened at 10:41 p.m.

The meeting was adjourned **by unanimous consent at 10:43 p.m.**

Attest: Christine Anderson, City Clerk

Approved: Weldon E. Heitman (Wally), Mayor