

April 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 Pro Tempore Zimmermann called the April 2016 meeting of the University Heights City Council to order at 7:00 p.m.

Present: Mayor Pro Tempore Zimmermann. Council Members: Mike Haverkamp, Jim Lane, Dotti Maher (joining the meeting where noted), and Silvia Quezada. Staff present: Attorney Ballard, Engineer Bilskemper, Police Chief Stanley, and Treasurer Kimura. Also present were: Pat Bauer, Kathie Belgum, Carolyn Brown, Justin Doyle, Andy Dudler, Linda Fincham, David Giese, Jase Humphrey, Eunice Hunzelman, Kevin Monson, Jeff Maxwell, John McLure, Mary Schmidt, Rich Schmidt, Kip Sheldon, Dave Shriver, Glenn Siders, Duncan Stewart, Larry Wilson, Mary Mathew Wilson, Ken Yeggy and Pat Yeggy.

Absent: Mayor Heitman and Clerk Anderson.

Minutes:

MOTION by Lane, seconded by Haverkamp, to approve the minutes of the March 8, 2016 council meeting. Carried.

MOTION by Haverkamp, seconded by Lane, to approve the minutes of the March 29, 2016 council meeting. Carried.

Kyle Austen with Insurance Associates of Iowa City presented the council with information concerning the City’s new liability insurance carrier and policy (Iowa Communities Assurance Pool) and workers’ compensation insurance carrier and policy (Iowa Municipal Workers’ Compensation Association).

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

- | | |
|---------------------------------------|---------------------------------------|
| Duncan Stewart – 1327 Oakcrest Avenue | Rich Schmidt – 207 Mahaska Drive |
| John McLure – 415 Koser Avenue | David Giese – 1138 Melrose Avenue |
| Pat Bauer – 338 Koser Avenue | Kip Sheldon – 316 Mahaska Drive |
| Larry Wilson – 308 Koser Avenue | Kathie Belgum – 104 Sunset Street |
| David Shriver – 100 Sunset Street | Mary Mathew Wilson – 308 Koser Avenue |

Special Assessment compromise for the Sunset/Melrose intersection payment:

The Council discussed the possibility of having One University Place (OUP) public improvements (left-turn lane from Melrose Avenue and realignment of Melrose Avenue – Sunset Street intersection) reimbursed to the City by way of a voluntary special assessment as opposed to direct reimbursement from the OUP developer within 15 days of contractor invoice to the City.

MOTION by Haverkamp, seconded by Lane, to constitute a committee with Pat Bauer, if willing to serve, and others to come up with a proposal for the council to consider.

MOTION by Quezada, seconded by Zimmermann, to amend the motion to make any such meetings open to the public. Carried by unanimous consent.

MOTION by Zimmermann, seconded by Haverkamp, to amend the motion to add Jim Lane to the committee. Carried by unanimous consent.

(Maher joins the meeting.)

MOTION by Haverkamp, seconded by Zimmermann to close debate. Carried.

VOTE on MAIN MOTION, as amended, to constitute a committee with Pat Bauer, if willing to serve, Jim Lane, and others to come up with a proposal for the council to consider, with any meetings of such committee being open to the public. Carried, 4-1, with Quezada voting “no”.

MOTION by Haverkamp, seconded by Maher, to approve Resolution No. 16-18, approving an agreement with MidAmerican Energy Company for utility relocation and rebuild to move and bury certain power and other communication lines to accommodate the OUP development at an estimated cost of \$33,499.00, for which the OUP developer will reimburse the City.

MOTION by Haverkamp, seconded by Zimmermann, to amend the motion to change the location of an anchor pole to 1265 Melrose Avenue.

MAIN MOTION withdrawn by Haverkamp with no objection to permit communication with interested parties.

In light of no action on Resolution No. 16-18 (concerning utility relocation), council consideration of Resolution No. 16-19 (concerning reimbursement by the OUP developer for the cost of such utility relocation) was deferred by unanimous consent until a later meeting.

MOTION by Lane, seconded by Haverkamp, to approve Resolution No. 16-20, approving an amended landscaping plan for OUP.

MOTION by Maher, seconded by Lane, to amend the motion to provide that approval of the landscaping plan would be in anticipation that a further agreement and plan would be reached and approved for the east embankment of the east ravine.

MAIN MOTION withdrawn by Lane with no objection to permit additional discussion with citizens, OUP developer, landscape architect, and council concerning plantings on the east embankment of the east ravine, whether non-native species of plants and trees should be introduced, and related matters.

MOTION by Lane, seconded by Haverkamp, to approve Resolution No. 16-21, authorizing the Mayor to sign and the Clerk to attest the FY2017 28E Agreement with the City of Iowa City for the provision of fire protection services in University Heights at a rate of \$31,874.00. **Carried.**

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

MOTION by Quezada, seconded by Haverkamp, to approve Resolution No. 16-15, granting a permit for a community gathering on Koser Avenue, May 21, 2016, where audible sounds may travel across property boundaries. **Carried.**

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

OUP Construction update: A verbal report was presented by Jeff Maxwell.

Legal Report: A written report was presented.

Clerk's Report: A written report was presented.

Finance Report: A verbal report was presented by Lane, including a discussion of renewing CDs and possible strategies for reducing bond interest by repaying early in light of CD interest rates being so low.

Treasurer's Report: A written report was presented.

**Warrants
March 9, 2016 through April 11, 2016**

Name	Amount	Name	Amount
Christian Jones	813.01	Mediacom	109.95
Kristofer Lyon	1,404.26	Iowa City Press-Citizen	227.63
Harold Plate	181.39	Johnson County Refuse, Inc.	1,738.50
Jakub Schmitz	1,188.13	Med-Tech Resources Inc	40.40
Nicholas Sherman	1,459.49	Westport Touchless Autowash	101.00
Levio Simcox	1,149.22	Eastern Iowa Community College	250.00
Kenneth Stanley	1,575.51	Pyramid Services Inc.	526.63

MidAmerican Energy	71.82	City of Iowa City	3,986.44
Christian Jones	888.45	Terry Goerd	2,205.00
Kristofer Lyon	1,662.89	Iowa Association of Municipal Utilities	528.60
Jakub Schmitz	1,259.91	MPH Industries, Inc.	89.27
Nicholas Sherman	1,511.47	Racom Corporation	71.25
Levio Simcox	1,293.82	Iowa Community Association Pool	10,271.51
Kenneth Stanley	1,575.49	VISA	114.60
Michael Haverkamp	172.80	VISA	671.25
James Lane	184.70	VISA	580.90
Silvia Quezada	184.70	Vic's Auto Body Repair, Inc.	437.50
Harold Plate	124.60	Rotary Club of Iowa City Downtown	23.00
Christine Anderson	355.34	Internal Revenue Service	2,929.28
Lori Kimura	316.74	Internal Revenue Service	3,375.70
Paul Moore	1,374.23	Wellmark BC/BS	2,602.05
Verizon Wireless	120.05	IPERS	3,696.67
City of Iowa City	14.22	IPERS	210.09
SEATS	703.66	Treasurer, State of Iowa	3,309.00
Stan Laverman	500.00	Iowa Workforce Development	487.64
Internet Navigator	24.95	Iowa Municipalities Workers' Compensation	1,996.00
Office of Auditor of State	1,200.00	MidAmerican Energy	33.30
Siders Development	1,001.70	MidAmerican Energy	31.82
University Lake Partners	1,800.00	MidAmerican Energy	26.92
Brad Wiley	250.00	MidAmerican Energy	605.48
Leff Law Firm, L.L.P.	11,725.00	Hawkeye Construction & Snow Removal	5,667.00
Shive Hattery	10,311.80		

General Fund - \$ 68,372.78

Road Use Tax - \$ 6,364.52

Employee Benefits Fund - \$ 18,606.43

Total Receipts

\$ 42,025.44

Total Warrants

\$ 93,343.73

MOTION by Haverkamp, seconded by Quezada, to pay the bills as submitted. **Carried.**

Community Protection: A verbal report was presented by Police Chief Stanley. The first “Coffee with a Cop” event was successful and another will be scheduled sometime in May.

Streets and Sidewalks: No Committee report.

Engineer’s Report: A written report was presented. A verbal update on construction on the OUP public improvements and timing of that work was presented.

Building, Zoning, and Sanitation: A written report was presented by Quezada.

- Pat Bauer was elected Chair of the Zoning Commission at its inaugural meeting this year.
- The Commission will meet the first Tuesday of every month, unless there is no business to discuss.
- The Council affirmed that the Commission’s priority should be regulation of sensitive slopes.
- A public meeting will be held April 14, 2016, at Horn Elementary School to discuss possible acquisition of community space in OUP.
- The Board of Adjustment will meet May 5, 2016, to consider an application by the owners of 1009 Melrose Avenue concerning asphaltting of the front yard.

eGovernment: A written report was presented by Haverkamp, who also reported on the creation of a University Heights domain name through Google and shared documents and cloud storage items.

OUP Inspection and Verification: A written report was presented by Inspector Glenn Siders, who also recommended removal of a particular hackberry tree and filling in of the area where the tree existed.

MOTION by Maher, seconded by Lane, to remove the hackberry tree and fill in the area where the tree existed. **Carried.**

Discussion of proposed Ordinance No. 193 regarding conflicts of interest disclosure. Quezada asked that she circulated the proposed ordinance April 8, 2016, and had received some feedback and comments. She asked that further comments be submitted to her by the

end of the day April 26, 2016, so the council could continue its discussion on this issue and the proposed ordinance. In light of certain comments, Zimmermann noted for the record that he is not a licensed lawyer in Iowa, though he used to be.

MOTION at 10:00 p.m. by Haverkamp, seconded by Zimmermann that the council holds a closed session pursuant to Iowa Code section 21.5(1)(c) to discuss strategy with counsel in matters in litigation where its disclosure would be likely to prejudice or disadvantage the position of the City.

MOTION by Quezada, seconded by Maher, that only pertinent staff members be allowed to stay for closed session. **Not carried.**

VOTE ON MOTION to hold closed session. **Carried.**

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

The Council then met in closed session. Regular session of the council meeting reconvened at 10:14 p.m.

MOTION by Quezada, seconded by Maher, to adjourn. **Carried.**

The meeting was adjourned at **10:15 p.m.**

Attest: Steven E. Ballard, City Attorney
for Christine M. Anderson, City Clerk

Approved: Jerry Zimmermann,
Mayor Pro Tempore