

June 12, 2018

Proceedings of the City Council of University Heights, Iowa, held at the Community Center, 1302 Melrose Avenue, subject to approval by the Council at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

REGULAR COUNCIL MEETING

Mayor From called the June 12, 2018 regular council meeting of the University Heights City Council to order at 7:00 p.m.

Present: Mayor From. Council Members: Nick Herbold, Dotti Maher, Virginia Miller, Liesa Moore and Silvia Quezada. Staff present: Attorney Steve Ballard, City Clerk Chris Anderson, Engineer Josiah Bilskemper (arrived at 7:05), Housing Inspector Stan Laverman (arrived at 7:25) Interim Police Chief Nate Petersen and Treasurer Lori Kimura (arrived at 7:10). Also present were: Sheryl Beinhart, Albert Brown, Lisa Cramer, Brian DeCoster, Jim Dreusicke, Josh Gahn, John Grant, Jase Humphrey, Tim Lehman, Britt McConnell, Rob McConnell, Paul Moore, Harold Plate, Mike Ritchie, Brock Shymansky, Jim Shymansky, Jay Speckeen, Greg Stiltner, Doug Swailes, Susan Vileta, Ken Yeggy and Pat Yeggy.

The minutes of the May 8, 2018 regular council meeting were approved by unanimous consent. The minutes of the May 15, 2018 special council meeting were approved by unanimous consent. The minutes of the May 24, 2018 special council meeting were approved by unanimous consent.

PUBLIC HEARING ON THE SECOND FY18 BUDGET AMENDMENT

Mayor From called the public hearing on the second FY18 budget amendment to order at 7:01 p.m. No members of the public spoke regarding the proposed budget.

Mayor From closed the public hearing at 7:01 p.m.

Mayor From reopened the regular council meeting at 7:02 p.m.

Second FY18 Budget Amendment:

MOTION by Quezada, and seconded by Moore, to approve Resolution No. 18-26, adopting the second FY18 budget amendment. Carried.

Herbold - Aye      Miller - Aye  
Maher - Aye      Moore - Aye  
Quezada - Aye

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

Josh Gahn - 62 Highland Drive  
Albert Brown - Porta Jonny owner  
Jim Dreusicke - 31 Leamer Court  
Harold Plate - 60 Highland Drive  
Doug Swailes - 546 Mahaska Court  
Jim Shymansky - 58 Olive Court  
John Grant - Farmers Market vendor  
Carol Anne & Scott Christiansen - letter read by council member Moore  
Britt McConnell - 222 Marietta Avenue  
Mike Ritchie - 20 Olive Court  
Brian DeCoster - 1421 Grand Avenue  
Tim Lehman - 1124 Melrose Avenue  
Brock Shymansky - 1144 Melrose Avenue  
Paul Moore - 1000-1006 Melrose Avenue

Streets and Sidewalks: City Engineer Bilskemper presented a written report. A verbal report was presented by council member Maher.

MOTION by Miller, seconded by Quezada, to include in the Summer Street Improvement RFP, repainting the pedestrian crossing located near the old city office. Carried.

Herbold - Aye      Moore - Aye  
Maher - Aye      Quezada - Aye  
Miller - Aye

The Kickoff to Kinnick 5k Run/Walk will be held September 29, 2018, 8:00-11:00 a.m. A portion of the race will pass through the city. Proceeds will be donated to the UI Dance Marathon.

**Mayor's Report:** A written report was presented.

**MOTION** by Maher, seconded by Herbold, to approve second consideration of Ordinance No. 227, prohibiting use of vapors/electronic-cigarettes in public places where tobacco already may not be smoked pursuant to Iowa's Smokefree Air Act. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - Aye
Miller - Aye	

**MOTION** by Herbold, seconded by Moore, to approve Resolution No. 18-27, naming Louise From, along with Josiah Bilskemper, as the city representative to the University of Iowa's committee that will review submittals in response to the Request for Qualifications – Finkbine Development.

**MOTION** by Quezada to limit the city representative position to act as a liaison between the city council and the UI committee and that the city council will authorize actions at scheduled council meetings. Motion died due to a lack of a second.

**MOTION** was voted upon and approved. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - Abstain
Miller - Aye	

**Legal Report:** A written report was presented.

**MOTION** by Maher, seconded by Herbold, to approve Resolution No. 18-28, authorizing the mayor to sign and the clerk to attest a 28E Agreement between the City of University Heights and the City of Iowa City regarding optical fiber cable along Melrose Avenue in the City of University Heights' right of way. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - No
Miller - Aye	

**MOTION** by Herbold, seconded by Quezada, to amend Resolution 18-29 to include "Whereas, Habitat sent a letter of acceptance, on or about February 6, 2018; and". **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - Aye
Miller - Aye	

**MOTION** by Herbold, seconded by Quezada, to approve Resolution 18-29, as amended, regarding conveyance of Olive Ct. properties. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - No
Miller - Aye	

**MOTION** by Maher, seconded by Herbold, that City Attorney Ballard respond to the complaint KCRG filed with the Iowa Public Information Board on June 5, 2018. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - Aye
Miller - Aye	

**Clerk's Report:** A written report was presented.

**MOTION** by Maher, seconded by Moore, to not dismiss the McNaughton parking ticket. **Carried.**

Herbold - Abstain	Moore - Aye
Maher - Aye	Quezada - Aye
Miller - No	

**Treasurer's Report:** A written report was presented. All bills presented, as amended, were approved for payment by **unanimous consent**. Payment to LL Pelling will be withheld until city streets are re-swept.

**Warrants  
May 09, 2018 through June 12, 2018**

<b>Name</b>	<b>Amount</b>	<b>Name</b>	<b>Amount</b>
Joshua Kite	1,174.64	Iowa City Landscaping	2,378.10
Nathan Petersen	1,574.27	Iowa Law Enforcement Academy	150.00
Levio Simcox	1,388.70	Johnson County Auditor	1,238.70
Jeremy Stenda	492.38	Johnson County Refuse, Inc.	1,921.50
Harold Plate	206.00	SEATS	50.00
Nicholas Sherman	179.90	Mediacom	299.95
MidAmerican Energy	352.61	Mercy IC Physician & Clinic Services	348.00
Jonathon Johnson	313.16	MPH Industries, Inc.	7,198.00
VISA	99.99	Racom Corporation	4,543.53
VISA	54.73	Safeguard Business Systems	169.09
VISA	913.95	Terry Goerd	1,080.00
Johnson County Treasurer	956.00	Total Tree Care of Iowa City LC	175.00
Christine Anderson	832.63	Ultramax	1,497.60
Lori Kimura	354.10	Westport Touchless Autowash	64.00
Ryan Dahm	111.52	Winkel, Parker & Foster, CPA PC	1,313.00
Jonathon Johnson	1,149.64	VIEVU	1,544.33
Joshua Kite	1,850.01	US Cellular	228.71
James Sandifer	2,833.10	Leff Law Firm, L.L.P.	23,053.40
Levio Simcox	1,246.75	Silvia Quezada	799.92
Jeremy Stenda	706.01	Joshua Kite	139.20
Nathan Petersen	1,574.28	VISA	694.53
Harold Plate	233.39	VISA	99.25
Paul Moore	50.00	Shive Hattery	3,423.00
Square Inc	20.00	Black Squirrel Urban Forestry	710.00
Verizon Wireless	30.18	Breese Plumbing & Heating	306.34
Internet Navigator	24.95	Internal Revenue Service	1,754.20
Stephen Anderson	250.00	Internal Revenue Service	392.70
Stan Laverman	600.00	IPERS	2,794.07
One University Place South Condo Assoc.	433.58	IPERS	297.80
Copyworks	621.00	Internal Revenue Service	3,789.16
City of Iowa City	4,401.95	MidAmerican Energy	51.88
Breese Plumbing & Heating	114.00	MidAmerican Energy	29.92
CenturyLink	87.77	MidAmerican Energy	27.53
Darryl Tucker	210.00	MidAmerican Energy	469.34
Johnson County Emergency Management	200.00	Advanced Drainage Systems	40.00
Iowa City Tire and Service	148.02	Hawkeye Construction & Snow Removal	892.50

**General Fund - \$ 79,214.36**

**Road Use Tax - \$ 1,511.17**

**Employee Benefits Fund - \$ 9,027.93**

**Total Receipts \$ 77,522.49**

**Total Warrants \$ 89,753.46**

**Community Protection:** A written report was presented by Interim Police Chief Nate Petersen. A written report was presented by council member Herbold.

**MOTION** by Herbold, seconded by Maher, to not seek reimbursement of law enforcement training expenses from Officer Lee Simcox. **Carried.**

Herbold - Aye  
Maher - Aye  
Miller - Aye

Moore - Aye  
Quezada - Abstain

Council consensus to delay applying for the K-9 grant. Council will address at a future council meeting.

First consideration of Ordinance No. 228, amending the Nuisance Ordinance (No. 71) concerning removal of trash after game days and the Portable Toilet Ordinance (No. 136) concerning placement of toilets during football season, was deferred until the next council meeting.

**MOTION** by Herbold, seconded by Moore, to approve first consideration of Ordinance No. 229, amending the Traffic Ordinance (No. 120) and the Commercial Vehicle Ordinance (No. 131), to incorporate certain portions of Iowa Code Sections 321.449-.466 and to require permits for overweight loads. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - Aye
Miller - Aye	

**MOTION** by Herbold, seconded by Miller, to approve first consideration of Ordinance No. 230, amending the Traffic Ordinance (No. 120) to require vehicles to be removed from yard parking by noon the day following game day and to authorize towing of vehicles that have accumulated \$50.00 or more in parking fines without further notice. **Carried.**

Herbold - Aye	Moore - No
Maher - No	Quezada - Aye
Miller - Aye	

**MOTION** by Herbold, seconded by Moore, to approve first consideration of Ordinance No. 231, prohibiting obstruction of city rights-of-way, including sidewalks. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Abstain	Quezada - Aye
Miller - No	

**MOTION** by Herbold, seconded by Moore, to approve first consideration of Ordinance No. 232, imposing an administrative fee for vehicles towed within the city. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - Aye
Miller - Aye	

**MOTION** by Herbold, seconded by Quezada, to authorize Interim Police Chief Petersen to purchase the new Marietta Avenue football parking permits. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - Aye
Miller - Aye	

**MOTION** by Herbold, seconded by Moore, to authorize pay Interim Police Chief Petersen and Police Officer Josh Kite for their unused FY18 vacation time. **Carried.**

Herbold - Aye	Moore - Aye
Maher - Aye	Quezada - Aye
Miller - Aye	

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

Council consensus for council member Miller to continue to research separating rental property duplexes in the city.

Council consensus to bring ordinance language prohibiting Airbnb to the July regular council meeting.

Consideration of Resolution No. 18-30, granting a permit for audible sounds, for an Oktoberfest fundraising event in Paul Moore's parking lot, to be held in September, was deferred to the next council meeting.

**Zoning Commission Report:** None.

**Finance Report:** A written report was presented.

Discussion on the implementation of the November 7, 2017 hotel/motel tax bond initiative language, was deferred to the next council meeting.

**MOTION** by Herbold, seconded by Quezada, to authorize Farmers Market Vendors to park in the shaded parking spots on Marietta Avenue, including the splash pad reserved spaces. **Carried.**

Herbold - Aye	Moore - Aye
Maier - No	Quezada - Aye
Miller - Aye	

**eGovernment:** A verbal report was presented.

**Announcements:** A special council meeting will be held on June 25, 2018, at 8:00 p.m., at the Community Center.

**MOTION** at 11:17 p.m. by Maher, seconded by Quezada, to meet in closed session pursuant to Iowa Code Sec. 21.5(1)(j) to discuss the possible purchase of particular real estate where premature disclosure could be reasonably expected to increase the price the city would have to pay for that property. **Carried.**

Herbold - Aye	Moore - Aye
Maier - Aye	Quezada - Aye
Miller - Aye	

The Council then met in closed session.

Regular session of the council meeting reconvened at 11:25 p.m.

The meeting was adjourned **by unanimous consent at 11:26 p.m.**

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**Attest: Christine Anderson, City Clerk**

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**Approved: Louise A. From, Mayor**