

January 13, 2009

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 January, 2009 meeting of the University Heights City Council to order at 7:00 p.m.

Present: Mayor From. Council Members Andrew Dudler, David Giese, Stan Laverman, Brennan McGrath and Amy Moore. Staff present: Engineer Bilskemper, Attorney Ballard, Treasurer Kimura, Police Chief Fort and Clerk Anderson. Also present were Pat Bauer, Carol Anne Christiansen, Linda Fincham, Kara Fort, Eunice Hunzelman, Jim Lane, Jeffrey Maxwell, Katie Morrissey, Dell Richard, Mary Richard, Karl Robertson and Al Wells.

The minutes of the December 9, 2008 meeting of the Council were presented and approved by **unanimous consent**.

Public Input: Dell Richard commented that in prior years, Christmas tree pick-up dates were held in January and specifically on “double-digit” days; he asks that the council continue this practice in the future.

Jim Lane addressed the council about the lack of notification he received concerning the ice and snow removal the city authorized on his sidewalks at 303 Highland Drive. Mr. Lane commented that he was unaware that the ordinance stipulated the sidewalks had to be cleared down to the concrete and across the width of the sidewalk.

Council member Giese commented that the city is trying to take a more proactive stance with snow removal this year due to the numerous complaints received last year and this year to-date. Giese stated that he went out on December 27th and took pictures of properties that were not in compliance; if the sidewalk was completely iced over, the city had the snow removed and if there was any concrete showing the property owners were to continue removing the snow and ice. Giese commented that he felt this was “a safety issue” that needed to be monitored.

Mayor From commented that she had received numerous calls and complaints regarding the snow removal procedures. Attorney Ballard stated that notice is not required by the Ordinance.

Mayor’s Report: The Mayor’s written report was presented.

Legal Report: A written report was presented. Attorney Ballard commented that Kathleen Koch and her father, Michael Koch were requesting reimbursement for expenses associated with the towing and impoundment of Ms. Koch’s vehicle after she was cited for failure to have insurance. Mr. Koch contends that poor judgment was used to impound the card; Iowa law permits the police officer the discretion to take various actions, including impoundment.

MOTION by McGrath, seconded by Moore, for consideration of request for reimbursement of expenses by Kathleen Koch.

Dudler - No McGrath - No
Giese – absent for vote Moore - No
Laverman – No

MOTION by McGrath, seconded by Giese, for first consideration of Ordinance 171 amending the Zoning Ordinance regarding minimum yards and surface composition of parking spaces. All voting Aye. **Carried.**

Dudler - Aye McGrath - Aye
Giese - Aye Moore - Aye
Laverman - Aye

Clerk’s Report: Clerk Anderson stated she is working on receiving 4 rental permits within the city; 3 on Olive Court and 1 on Highland Drive.

Finance Report: Treasurer Kimora asked that the council to submit their preliminary budget figures to her by the beginning of next week.

Dudler - Aye
Giese - Aye
Laverman – Aye

McGrath - Aye
Moore - Aye

MOTION by Giese, seconded by Laverman for University Heights to add a \$50 administrative fee to cover administrative costs associated with sidewalk snow removal. All voting Aye. **Carried.**

Dudler - Aye
Giese - Aye
Laverman – Aye

McGrath - Aye
Moore - Aye

Council member McGrath stated he felt strongly that notification was needed for this situation and he did not feel the homeowners should be charged.

MOTION by McGrath, seconded by Laverman, for University Heights to pay for the Johnson County Refuse snow removal fee instead of the residents. Voting 1-4. **Motion denied.**

Dudler - No
Giese - No
Laverman – No

McGrath - Aye
Moore - No

Council member Moore asked if all properties were cleaned as a result of complaints; not all properties were complaint driven and Moore asks that we be consistent in how we enforce our procedures.

Jeffrey Maxwell and Al Wells addressed the council concerning a potential development on the current site for St. Andrew Church. The developers are in the concept stage of development for the property; they envision part commercial with one level of parking underneath the building and the other part as condominiums with 2 levels of parking beneath the condos. To address the traffic issues with the new development, they suggested that changes should be made to the corner of Sunset and Melrose to align the streets, as well as adding a turn lane on Melrose into the entrance driveway.

The developers hope to have 3 neighborhood meetings, at St. Andrew Church, to receive input from residents; after each meeting they will take the input and make changes and/or additions. They hope to be able to present a final draft to the Zoning Committee on March 15th.

It was suggested that regardless of what happens to the property, improvements may need to be made to the lane changes/modifications at the corner of Sunset and Melrose.

Engineer Bilskemper updated the council on the remaining bill with Eggleston Construction; as part of the contract, the company was required to sod the SE corner of Melrose and Sunset Avenue. The company re-graded and seeded the corner; they are not asking for payment for the seeding. Engineer Bilskemper asked the council to consider paying the retention fee (minus the amount for sodding) and close-out the contract with Eggleston.

MOTION by Giese, seconded by Laverman, to close out the 2008 street improvement contract with Eggleston, paying the retention fee, minus the sodding amount. All voting Aye. **Carried.**

Dudler - Aye
Giese - Aye
Laverman - Aye

McGrath - Aye
Moore – absent for vote

Building, Zoning & Sanitation: No report.

E-Government: Council member Laverman asked if the city website could become more interactive with a “members only” area for council members to sign onto; Council member Dudler responded that we have a very basic web package that will not allow that and it would cost significantly more to have that access.

JCCOG: The mayor gave a written report.

Announcements: None.

The meeting was adjourned by **unanimous consent at 9:18 p.m.**

Attest: Christine M. Anderson, City Clerk

Approved: Louise A. From, Mayor