

**UNIVERSITY HEIGHTS CITY COUNCIL
TUESDAY AUGUST 14, 2001
7:00 P.M.
AT
CITY OF UNIVERSITY HEIGHTS CITY OFFICE
1004 MELROSE AVENUE**

AGENDA

Public Hearing to Consider Adoption by Reference Provisions of the Iowa Code Regulating Traffic.

Call to Order.

Minutes of July.

Public Input.

Other Business: Consideration of Ordinance No. 115 amending Ordinance No. 109 to include police officers and the definition of "general public" for purposes of a disorderly house.
 Consideration of Ordinance No. 116 repealing Ordinance No. 59. Ordinance No. 59 itself amended Ordinance No. 34, which already has been repealed.
 Consideration of Ordinance No. 117 amending Ordinance No. 33 to include police officers and the definition of "persons" for purposes of disturbing the peace.
 Consideration of Ordinance No. 118 amending Ordinance No. 71 to include police officers and the definition of "other persons" for purposes of disturbing the peace.
 Consideration of Ordinance No. 120 adopting by reference certain portions of the Iowa Code regarding traffic regulations and other matters.
 Consideration of Ordinance No. 121 repealing Ordinance No. 102, which concerns traffic regulations.
 Consideration of Ordinance No. 122 which adopts certain portions of the Iowa Code concerning traffic regulations and re-enacts those portions of former Ordinance No. 102, the traffic ordinance, that are not replaced by Ordinance No. 120.
 Application for Liquor License, Beer and Wine Permit for Christian Prochaska, 1006 Melrose Avenue.
 City Newsletter.

Treasurer's Report. Payment of Bills.

Mayor's Report.

Clerk's Report.

Legal Report.

Engineer's Report.

Police Report.

Committee Reports: Finance
 Building, Zoning and Sanitation
 Fire and Police
 Street and Sidewalks
 JCCOG

Next Meeting: September 14, 2001

Gloria Jacobson, Mayor

Telephone: 338-3489

University Heights, Iowa

1004 Melrose Avenue

August 14, 2001

Mayor Jacobson called to order a public hearing at 7:03 p.m.

Present: Mayor Jacobson; Council Members From, Gay, Jones, Martin, Schoenmaker; Attorney Ballard; Chad Lambi, Shive-Hattery Engineers & Architects; Treasurer Reitz; Clerk Birk.

Others Present: David Wood; Christian Prochaska; Sarah Aanes; Dell Richard; Paul Moore.

Absent: None.

ALL VOTES UNANIMOUS UNLESS OTHERWISE STATED.

A public hearing was held to consider adopting by reference portions of the Iowa Code regulating traffic. Portions of University Heights Ordinance No. 102 would be repealed. Adoption of the ordinance would allow City police officers to use the Iowa Code and fine schedule. Section 1 of Ordinance No. 120 identifies the portions of the Iowa Code to be adopted; Section 2 specifies sections of the Iowa Code that cannot be adopted by reference because the penalties are too high and that will be adopted verbatim.

No public comment was received.

Upon motion the public hearing was closed at 7:08 p.m.

Carried.

Approved _____
Gloria N. Jacobson, Mayor

Attest _____
Patricia Birk, Clerk

NOTE: Minutes subject to approval and corrections.

August 14, 2001

Mayor Jacobson called to order a regular meeting of the Council at 7:09 p.m.

Present: Mayor Jacobson; Council Members From, Gay, Jones, Martin, Schoenmaker; Attorney Ballard; Chad Lambi, Shive-Hattery Engineers & Architects; Police Chief McDonald; Treasurer Reitz; Clerk Birk.

Others Present: David Wood; Christian Prochaska; Sarah Aanes; Dell Richard; Paul Moore.

Absent: None.

ALL VOTES UNANIMOUS UNLESS OTHERWISE STATED.

MOTION by Martin, second by From, to approve the minutes of the regular meeting in July.
Carried.

CITY BUSINESS: Christian Prochaska, who has signed an agreement with Lenny Robles to purchase the Moveable Feast, spoke to Council about application for a carry-out beer permit. Mr. Prochaska plans to remodel the area for a restaurant, opening in October. He plans to serve only wine and beer, and not distilled alcohol. He would continue selling food and carry-out beer on Football Saturdays, but would not offer dinner on those days. Council Member Schoenmaker addressed the issue of having a Sheriff's reserve officer in the store during football games as was done by the Moveable Feast, and that Council had discussed asking the business in the future to pay part of the cost of the additional reserve officers hired on football Saturdays. Mr. Prochaska said he would not have a problem with the cost of additional deputies and that he planned to continue having one officer in the store.

MOTION by Jones, second by Martin, to approve the application for carry-out beer and wine, subject to consummation of the lease, for Christian Prochaska for the business at 1006 Melrose Avenue.

Carried.

Council considered the adoption of Ordinance No. 115 which specifies that a police officer is considered a member of the public for purposes of charging a disorderly house as it relates to Ordinance No. 109..

MOTION by Jones, second by Martin, to suspend the requirement that an Ordinance be considered three times before it is passed and that the Ordinance be passed in one reading.

Carried.

RESOLUTION (01-09) introduced by Martin, second by Jones, to adopt Ordinance No. 115.

The roll was called and the vote was:

AYES:	NAYS:	ABSENT:	
X			From
X			Gay
X			Jones
X			Martin
X			Schoenmaker

Passed and approved this 14th day of August 2001.

Council considered Ordinance No. 116, a housekeeping matter that would repeal Ordinance No. 59 which amended Ordinance No. 34 which has already been repealed and concerns penalties for traffic violations.

MOTION by Jones, second by From, to suspend the requirement that an Ordinance be considered three times before it is passed and that the Ordinance be passed in one reading.
Carried.

RESOLUTION (01-10) introduced by Martin, second by From, to adopt Ordinance 116.

The roll was called and the vote was:

AYES:	NAYS:	ABSENT:	
X			From
X			Gay
X			Jones
X			Martin
X			Schoenmaker

Passed and approved this 14th day of August 2001.

Council considered Ordinance No. 117 which amends Ordinance No. 33, clarifying the definitions of "persons" for purposes of disturbing the peace.

MOTION by Jones, second by From, to suspend the requirement that an Ordinance be considered three times before it is passed and that the Ordinance be passed in one reading.
Carried.

RESOLUTION (01-11) introduced by Jones, second by Martin, to adopt Ordinance No. 117.

The roll was called and the vote was:

AYES:	NAYS:	ABSENT:	
X			From
X			Gay
X			Jones
X			Martin
X			Schoenmaker

Passed and approved this 14th day of August 2001.

Council considered Ordinance No. 118 which amends Ordinance No. 71 to include police officers and the definition of "other persons" for purposes of disturbing the peace.

MOTION by Jones, second by Martin, to suspend the requirement that an Ordinance be considered three times before it is passed and that the Ordinance be passed in one reading.
Carried.

RESOLUTION (01-12) introduced by Jones, second by From, to adopt Ordinance No. 118.

The roll was called and the vote was:

AYES:	NAYS:	ABSENT:	
X			From
X			Gay
X			Jones
X			Martin
X			Schoenmaker

Passed and approved this 14th day of August 2001.

Council considered Ordinance No. 120 which adopts by reference certain sections of the Iowa Code concerning traffic and providing for a method of citing violations. It will become effective upon publication.

MOTION by Jones, second by Martin, to suspend the requirement that an Ordinance be considered three times before it is passed and that the Ordinance be passed in one reading.
Carried.

RESOLUTION (01-13) introduced by Jones, second by From, to adopt Ordinance No. 120.

The roll was called and the vote was:

AYES:	NAYS:	ABSENT:	
X			From
X			Gay
X			Jones
X			Martin
X			Schoenmaker

Passed and approved this 14th day of August 2001.

With respect to Ordinances No. 121 and No. 122, Attorney Ballard said he would like to take more time to prepare them and to speak with the police officers before presenting them for Council approval, and he suggested that Council not act on these ordinances at this time.

Council discussed the Fall 2001 Newsletter. Additions have been made to the first page, including the section on the Household Hazardous Waste facility at the Iowa City Landfill. An addition will be made that discusses the Melrose/Koser/Golfview traffic signal "scramble phase".

Council discussed the proposed web site. Resident David Wood has been working with Clerk Birk in exploring this. Mayor Jacobson appointed Council Member Jones as head of an ad-hoc committee, along with Mr. Wood and Clerk Birk, to start a web site and decide on the content. The site would be hosted by the Johnson County Community Network at no cost. A domain name can be purchased for \$16 per year, and Council approved this expenditure. The site will be www.university-heights.org.

TREASURER'S REPORT: Treasurer Reitz distributed the report for July. She distributed a budget overview of FY2001.

MOTION by Martin, second by Jones, for payment of all the bills.
Carried.

WARRANTS - JULY

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
12654	Paul J. Moore, Melrose Avenue Building	Gen:P&A-Rent	650.00
12675	Rehrig Pacific Company	Gen:HCE:Recycle bins/lids	3,056.25
12636	Johnson County Emergency Management	Gen:CP:Hazmat	740.25
12676	River City Property	Gen:Reimbursement-Rental Inspection	180.00
12678	Copyworks	Gen:P&A:Copying/Council Meeting	15.33
12679	Neely and Martinek	Gen:P&A:Attorney Fees	195.00
12680	City of Iowa City	Gen:HD:Park Water	7.47
12681	City of Iowa City	Gen:CP-Fuel/HD-IC bus service	2,514.32
12682	Reitz, Sharyn	Gen:P&A:Postage -return item to Taser intl	2.86
12683	Cindy Marek	Gen:HD:Library Card	75.00
12684	Luella Puhрман	Gen:HD:Library Card	75.00
12685	Lisa Boyer	Gen:HD:Library Card	75.00
12686	Christine M. Luzzie	Gen:HD:Library Card	75.00
12687	SEATS	Gen:HD:Seats Service	591.50
12691	McLeod USA	Gen:P&A:Phone	102.07
12692	Copyworks	Gen:P&A:Copying/Council Meeting	15.50
12693	Genuine Parts Co. (NAPA)	Gen:CP:Vehicle maintenance-no receipt	10.30
12694	MidAmerican Energy	Gen:Office Electric/SR:Street and Stoplights	878.49
12695	Birk, Patricia	Gen:P&A:office supplies-postage	14.45
12696	Latta Harris Hanon & Penningroth LLP	Gen:P&A:Accounting Fees	35.10
12697	U.S. Cellular	Gen:CP-cell phone	91.07
12698	Taser International	Gen:CP:Weapons/Ammunition-3 swivel clips	71.85
12699	Johnson County Refuse	Gen:HCE-Trash/Recycling/	1,365.00
11851	Shive Hattery	Gen:HCE:Engineering Fees	4,850.93
11852	Zephyr Copies	Gen:P&A:Reports	1.22
11853	Westport Touchless Autowash	Gen:CP:Vehicle Wash	28.00
11858	Johnson County Treasurer	Gen:CP:Sheriff/Radio contract	1,749.50
11855	Iowa City Press-Citizen	Gen:P&A:Publications	225.81
11856	VISA	Gen:P&A:supplies/postage	106.30
11857	Laura Cullen	Gen:HD:Library Card	75.00
11859	City of Coralville	Gen:CP:Fire Protection Contract	14,859.00
11863	Louise From	Gen:P&A:Awards	35.66
11860	Shimon, Brian S.	Gen:CP:Weapons Allowance-Shimon	380.00
12700	Birk, Patricia	Gen:P&A:Payroll	216.12
12701	Reitz, Sharyn H.	Gen:P&A:Payroll	219.13
12707	Griffin, Paul J.	Gen:CP:Payroll	143.14
12708	McCune, Garry W.	Gen:CP:Payroll	1,808.52
12709	Shimon, Brian S.	Gen:CP:Payroll	1,462.55
12710	Stange, Steven R.	Gen:CP:Payroll	80.22
12711	McDonald, Robert F.	Gen:CP:Payroll	2,041.81
12712	IPERS	IPERS Payment	1,273.27
12713	IOWA STATE BANK & TRUST CO	42-1109342	2,073.62
12714	TREASURER STATE OF IOWA	42-1109342-001	315.00
TOTAL			<u>42,781.61</u>

<u>INCOME</u>	<u>GENERAL</u>	<u>DEBT SERVICE</u>	<u>SPECIAL REVENUE</u>	<u>TOTAL</u>
	6,657.67	334.41	5,882.65	12,874.73

MAYOR'S REPORT: Mayor Jacobson received a call from officials at Mid-American to discuss a franchise agreement with the City. She suggested that they come to a City Council meeting, and someone will attend in September.

The Mayor received a call from the Coralville Fire Chief, Terry Sesker, who told her that he had been in contact with the Iowa City Fire Chief and that through Mutual Aid, Iowa City Fire would respond to calls in University Heights during the construction on Mormon Trek if Coralville Fire should be delayed. The Mayor will contact Mr. Mebus, the Horn School PTO with this information, and also concerning the scramble phase at Melrose and Sunset.

Mayor Jacobson asked Council Member Schoenmaker to report on meetings of the Juvenile Crime Protection Youth Development Policy Board that he attends.

Mayor Jacobson asked Council Member From to chair an ad-hoc committee that will decide what to plant in the flower bed. Council Member Gay will also serve on the committee.

CLERK'S REPORT: The renewal for flexible benefits management was received from Wellmark. One building permit was received last month.

The last day for candidates to file a nomination petition for City office is Thursday August 30. The office will remain open until 5:00 that day. Nomination papers are due at the County Auditor's Office on Friday August 31.

LEGAL REPORT: Attorney Ballard sent letters to homeowners who needed to trim trees and shrubbery restrict the passage of pedestrians or vehicles, or that obstruct traffic signs.

Attorney Ballard and Engineer Lambi will determine if there are any issues that need to be addressed concerning the sewer easement for the University Athletic Club subdivision.

ENGINEER'S REPORT: The residents at 25 Olive Court will have L.L. Pelling repair the street where it was damaged when the sewer line was repaired.

The contractor for street improvements plans to start work in early September. A street sign was ordered for Quarterback Court.

POLICE REPORT: Chief McDonald gave the police report for the month. He will get bids for a new police car.

COMMITTEE REPORTS:

BUILDING, ZONING & SANITATION: Council Member From will contact Steve Smith to schedule leaf pick-up day and Christmas tree pick-up day this year.

The City Potluck Picnic will be on Sunday October 7 from 4 to 7 p.m. Fliers will be passed out.

STREET AND SIDEWALKS: A resident is concerned about several potholes in City streets. The clerk will check with Paul and see if he will fill potholes with hot mix. Otherwise, repairs will be made next year.

JCCOG: An individual who was approved for SEATS in Iowa City has moved to University Heights.

MOTION by Jones, second by Gay, to approve the SEATS application.

Carried.

Council Member Jones commented on the correspondence provided by Council Member Schoenmaker. He asked the Mayor to write a letter to Terry Trueblood of Iowa City that will maintain dialogue with Iowa City in regard to the Nuezil tract.

Upon motion the Council adjourned at 9:30 p.m.

Approved

Gloria N. Jacobson, Mayor

Attest

Patricia Birk, Clerk

NOTE: Minutes subject to approval and corrections.