

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

Present: Mayor From. Council Members Andrew Dudler, Stan Laverman, Brennan McGrath and Amy Moore. Staff present: Engineer Bilskemper, Attorney Ballard, Treasurer Kimura, Police Chief Fort and Clerk Anderson. Also present were Kris Ackerson, Zlatko Anguelov, Pat Bauer, Carol Ann Christensen, Paul De Young, Brigitte Fanning, Claire Fleming, Frank Fleming, Jackie Hunter, Al Leff, Ian Martin, Doug Moore, David Pedersen, David Tjaden, Jacob Tjaden, Larry Wilson, and Pat Yeggy.

Absent: Council member David Giese

The minutes of the September 8, 2009 and September 24, 2009 meeting of the Council were presented and approved by unanimous consent.

Public Input: Claire and Frank Fleming addressed the council regarding their application for an exception to the Portable Toilet ordinance requiring that toilets not be visible from city streets; the property is an open field. Claire Fleming stated that there were no questions or comments from the surrounding property owners. Council member Laverman asked if the applicants would consider removing the toilets after each game; Frank Fleming responded he would prefer not to as it would damage they yard. Fleming also responded that those with portable toilets are acting in a responsible manner and he did not feel those with portable toilets should be treated differently depending on their visibility.

MOTION by Moore, seconded by McGrath, to grant an exception to the Portable Toilet Ordinance for the empty lot on George Street owned by Frank Fleming. Carried.

Dudler - Aye	McGrath - Aye
Giese - Absent	Moore - Aye
Laverman - No	

City Clerk Anderson commented that an application for a portable toilet exemption had been received by the city from Paul De Young, 21 Prospect Place, but could not be considered until placed on the November council meeting agenda. The council discussed that no penalty would apply for the next two home games until the application could be reviewed at the next council meeting.

Carol Ann Christensen and Pat Yeggy stated that the University Heights Garden Club needs donations and asked if the City would be willing to contribute. Christensen also inquired if a jar for contributions could be at the Candidate Forum on October 20<sup>th</sup>. Pat Bauer, who is working with the committee sponsoring the forum, gave permission for a donation jar to be at the Candidate Forum. The council will address the funding question at the November 10<sup>th</sup> council meeting. Mayor From commented that she has received numerous comments on how lovely the city garden looked this summer and thanked the committee for their many hours of volunteer service.

Doug Moore stated that he feels the Portable Toilet ordinance "is not working" and suggested the City needs to require people to have portable toilets for football games. Moore also stated that those who have portable toilets should not be penalized if their toilets are visible and that possibly those within a specified radius of the stadium would have the toilets on their property continuously during the football season. Council member Moore commented that the changed in ownership of the former Neuzil land has changed parking in University Heights and suggested that football game day issues should be on the agenda at the December 8th council meeting. Doug Moore urged the council to involve personnel from the University of Iowa Athletic Department in the discussions.

Pat Bauer reminded everyone that the Candidate's Forum will be held on October 20<sup>th</sup> at the University Athletic Club, 7:00-9:00pm; the questions to the candidates will be sent to them prior to the forum.

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

Kris Ackerson commented on the JCCOG Metro Bicycle Master Plan which the council was considering at the meeting; public workshops were held with 600 people attending. The plan is a blueprint for each city to become more bike friendly; Iowa City and Johnson County have adopted the plan. Other cities are considering it for adoption also.

**MOTION** by McGrath, seconded by Laverman, to adopt Resolution 09-16, adopting the JCCOG Metro Bicycle Master Plan and Executive Summary. **Carried.**

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

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

**MOTION** by Laverman, seconded by Moore, to establish duties and authority of the City Historian. **Carried.**

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

**MOTION** by Moore, seconded by McGrath, to adopt Resolution 09-11, terminating the 28E Agreement with the City of Coralville for Building Inspection Services. **Carried.**

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

**MOTION** by Moore, seconded by McGrath, to adopt Resolution 09-12, terminating the 28E Agreement with the City of Coralville for Housing Inspection Services. **Carried.**

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

**MOTION** by Moore, seconded by McGrath, to adopt Resolution 09-13, authorizing the mayor to sign and the clerk to attest an appointment and agreement with Terry Goerd and Norm Cate for Building and Housing Inspection Services. **Carried.**

Dudler - Aye	McGrath - Aye
Giese - Absent	Moore - Aye
Laverman - Abstain	

**MOTION** by Laverman, seconded by McGrath, for first consideration of Ordinance No. 173 amending the Zoning Ordinance (No. 79) regarding parking and composition of parking surfaces in rear yards. **Carried.**

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

**MOTION** by McGrath, seconded by Laverman, for first consideration of Ordinance No. 174 requiring operators of motor vehicles to carry proof of liability insurance and providing penalties. **Carried.**

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

**MOTION** by Laverman, seconded by Moore, for first consideration of Ordinance No. 175 adopting by reference certain provisions of Iowa Code chapter 321 (motor vehicles and rules of the road). **Carried.**

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

**MOTION** by Laverman, seconded by McGrath, to pay expenses, not exceeding \$750, associated with the property exchange at 10 Koser Avenue. **Carried.**

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

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

Clerk Anderson handed out an example of the tree trimming notice and drawing that was hand-delivered to property owners in October. Several citizens questioned the language on the notice as it appeared to be a citation. City Attorney Ballard will work on changing the language to be a more friendly reminder.

Clerk Anderson stated the council had received a letter from the owners of 400 Grandview Court requesting a pro-rated rental permit fee; the owner’s son is living in the unit until December when he graduates. The council discussed the request and agreed not to pro-rate the rental permit fee. Clerk Anderson will notify the property owners of the council’s decision.

**Finance Report:** Council member Laverman suggested that the newly elected council revisit the administrative manual, which states that 25% should be held in reserve; the new council may want to ear-mark the LOST revenue for this purpose.

**Treasurer’s Report:** All bills presented were approved by **unanimous consent.**

**Warrants  
September 9, 2009 through October 13, 2009**

<b>Name</b>	<b>Amount</b>	<b>Name</b>	<b>Amount</b>
MidwestOne Bank	67.50	Lori Kimura	252.43
City of Iowa City	13.56	IPERS	2,792.05
Ronald Fort	1,323.32	IPERS	91.68
Benjamin Lord	1,122.84	Iowa Workforce Development	26.09
Brad Reinhard	1,323.34	MidwestOne Bank	4,715.64
Donald Strong	1,330.42	Treasurer State of Iowa	1,923.00
Matthew Fort	1,559.79	Paul Moore	867.00
McLeod USA/PAETEC	125.00	City of Iowa City	13.56
MidAmerican Energy	42.14	Benjamin Lord	92.00
MidAmerican Energy	31.04	City of Coralville	270.00
MidAmerican Energy	106.31	SEATS	689.86
MidAmerican Energy	611.50	Paul Moore	35.00
Andrew Dudler	184.70	City of Iowa City	5,203.63
Louise From	454.13	Iowa City Press-Citizen	182.81
David Giese	184.70	Iowa City Tire and Service	947.52
Stanley Laverman	184.70	Iowa League of Cities	555.00
Brennan McGrath	184.70	Johnson County Refuse, Inc.	1,738.50
Matthew Fort	1,484.13	OMB Express Police Supply	197.94
Ronald Fort	1,160.84	O’Reilly Auto Parts	25.99
Benjamin Lord	1,010.37	Racom Corporation	79.60
Brad Reinhard	1,502.14	Staples	158.33

Donald Strong	1,160.26	Verizon Wireless	90.02
Wellmark BC/BS	1,245.50	VISA	1,489.59
Christine Anderson	403.77	Westport Touchless Autowash	42.00

**Total Receipts**

**\$ 58,970.64**

**Total Warrants**

**\$ 39,295.94**

**Community Protection:** Police Chief Fort stated there are game-day parking issues on west Koser Avenue; fans seem to be willing to pay the \$25 fine as they continue to illegally park there every game. Fort suggested increasing the fine to keep the street open. After council discussion, it was agreed to increase the football game day parking ticket fine to \$50.

**Streets and Sidewalks:** Engineer Bilskemper presented a draft of the preliminary plans for the Melrose Wide Sidewalk project for review and discussion. The “preliminary plan submittal” will be submitted on October 20<sup>th</sup> to the Iowa DOT. Copies of the submittal will be sent for review to the council. It was also suggested to request JCCOG traffic planners to provide their recommendations to city council about bike and parking lanes on Melrose Ave.

**Building, Zoning & Sanitation:** Leaf pick-up dates are listed on the website.

**E-Government:** Council member Dudler will update rental information on the website.

**JCCOG:** Mayor From reported that the City has applied for STP funding for a future Sunset St. Wide Sidewalk Project and the RTBC Committee on Oct. 13<sup>th</sup>, has recommended that project for funding consideration. That recommendation will be considered by the TTAC committee in November before a final decision is made by JCCOG Urbanized Area Policy Board in December.

**Announcements:** Council member Laverman announced that an organization he is involved with, Reclaiming Roots, is having a “Make a Difference Day” on October 24, 2009. Contact council member Laverman if you are interested in participating.

The meeting was adjourned by **unanimous consent at 8:55 p.m.**

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**Attest: Christine M. Anderson, City Clerk**

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**Approved: Louise From, Mayor**