

UNIVERSITY HEIGHTS CITY COUNCIL

TUESDAY November 11, 2003

**CITY OF UNIVERSITY HEIGHTS CITY OFFICE
1004 MELROSE AVENUE**

7:00 P.M.

REGULAR MEETING OF THE UNIVERSITY HEIGHTS CITY COUNCIL

AGENDA

Call to Order.

Minutes of October meeting.

Public Input

- Other Business:
1. Office of Treasurer:
Appointment of Treasurer
 2. Reconsideration of Ordinance #127, concerning public toilets.
 3. Second consideration of Ordinance No. 131 Regulating Commercial Vehicles Upon City Streets and Providing Penalties.
 4. Report of the Zoning Commission on the application of the University Athletic Club.

Treasurer's Report. Payment of Bills.

Mayor's Report.

Clerk's Report

Legal Report.

Engineer's Report.

Police Report.

Committee Reports:	Finance	Community Protection
	E-Government	Streets and Sidewalks
	Building, Zoning & Sanitation	JCCOG

Next Meeting: December 9, 2003

Gloria Jacobson, Mayor
Ph. 338-3489

November 11, 2003

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.

Mayor Jacobson called the regular meeting of the Council to order at 7:00 p.m.

PRESENT: Mayor Jacobson. Council Members From, Giese, Laverman, Schoenmaker and Wood.
Absent: None. Attorney Ballard, Engineer Bilskemper, Clerk Musser, Police Chief Shimon, Ass't Chief Sedivec, Officer Kempnich, Reserve Officer Dunbar. Others present: Tom and Kathy Donnelly, Bill Silverman, Jeff Christiansen, Pat Bauer, John Bullers, Shaun Martinson, Kermit Sheker, Kendall Giese, Rick Zimmerman, Martin and Linda Annis.

MOTION: BY Schoenmaker, seconded by Laverman, to approve the minutes of the October 14, 2003 meeting as published. Carried

PUBLIC INPUT: Kermit Sheker appeared to express his concern about leaf burning as it affected a neighbors children and caused smoke in his house on a recent burning day. Mayor Jacobson explained that burning days are the result of a community survey taken several years ago which expressed approval of leaf burning. The Council agreed it may be time to revisit this policy. Bill Silverman was present in regard to 3 "parking on grass" tickets he had received, and subsequent impounding of the vehicle. He explained the circumstances for the vehicle being parked where it had been. Upon the recommendation of the Police Chief there was a **MOTION** by From, seconded by Laverman, to dismiss all three tickets, but take no action regarding the impound. Carried, Giese voting NAY.

John Bullers, Shaun Martinson and Jeff Christiansen all appeared regarding the ban on portable toilets on properties used for football game parking. The feel that the benefits far outweigh any nuisance they create. Council Member From asked what action had been taken regarding the driveway at 1409 Grand Ave. Attorney Ballard is to write the owner reminding her of the Council action in October and suggesting a deadline for completion of that work.

OTHER BUSINESS: Martin and Linda Annis were introduced to the Council as candidates for the vacant position of Treasurer. The both gave a brief outline of their qualifications and experience. **MOTION** by Wood, seconded by Laverman to appoint Martin Annis as University Heights Treasurer, effective November 24, 2003 at a salary of \$12.00 per hour. He will be assisted by his wife, Linda. In discussion, Wood asked if there was need for a policy of background and credit checks for such appointments. Carried

Reconsideration of Ordinance #127 regarding public toilets was discussed. Jerry Musser, speaking as a University Heights resident, described how the availability of "portable toilets" at a football parking location very near their residence had greatly improved the situation, eliminating views of "elimination" from their front door. Comments made by other members of the public at the October meeting were recalled. Attorney Ballard had several comments as to why football parking and related problems was becoming more prevalent. The consensus of the Council was to take no action at this meeting, but to again reconsider this ordinance at the December meeting.

RESOLUTION MOTION by Giese, seconded by From, for the **Second Consideration of Ordinance No. 131 Regulating Commercial Vehicles Upon City Streets and Providing Penalties.** Laverman spoke to his dissenting vote on the first reading of this ordinance. Attorney Ballard spoke again regarding the need for this revised Ordinance.

	AYE	NAY
From	X	
Giese	X	
Laverman	X	
Schoenmaker	X	
Wood	X	
		<u>Second consideration carried</u>

Pat Bauer, Zoning Commission Chair, reported on the October 16, 2003 meeting of that Commission regarding the rezoning of property owned by the University Athletic Club. The rezoning request was denied by the Commission. Attorney Ballard stated that the owners have informed him that they will not be bringing this request before the City Council. In the course of this meeting items came forth that may to be changed in the rezoning process. Bauer suggested that some type of sign on the property requesting rezoning would be helpful, that there should be some minimum

requirements for information presented at a rezoning request, and that any costs incurred by a rezoning request should be borne by the applicant, regardless of the outcome. Attorney Ballard will be looking in to these thoughts and presenting his recommendations to the Council. Mayor Jacobson has spoken to an Athletic Club representative regarding future requests for change.

TREASURER’S REPORT:

The report was presented by Council Member Wood. He had concerns with an anonymous donation received by the City. Attorney Ballard suggested that the Council should be advised of any gifts made for a specific purpose, but that donations may be accepted if they are not made as a request for any specific advantage being gained by the donor.

MOTION by Wood, seconded by From to set a policy that if and when a gift is received by the City for any specific purpose, there should be Council approval before accepting or spending the funds. Carried

MOTION by Wood, seconded by From, to approve all bills presented for payment. Carried

WARRANTS—October, 2003

<u>Name</u>	<u>Amount</u>	<u>Name</u>	<u>Amount</u>
McLeod USA	120.38	MidAmerican Energy	320.18
MidAmerican Energy	590.86	Shimon, Brian S.	1,000.00
Kempnich, Brian P.	1,283.82	Griffin, Chad J.	356.89
From, Louise A.	184.70	Giese, David	184.70
Jacobson, Gloria N.	454.13	Laverman, Stanley M.	184.70
Musser, Jerry B.	355.84	Reitz, Sharyn H.	313.00
Schoenmaker, Adrian	184.70	Sedevic, John A.	1,307.83
Shimon, Brian A.	619.08	Wood, David G.	184.80
Egli, Jon-Thomas P.	1,679.35	Collection Services Center	364.00
IPERS	2,057.08	Iowa State Bank & Trust	2,266.62
Iowa Workforce Development	24.10	Treasurer, State of Iowa	905.00
Paul J. Moore	650.00	City of Iowa City	20.12
City of Iowa City	6.10	Genuine Parts Co.	215.19
Copyworks	26.95	Frohwein	9.25
Iowa City Press Citizen	281.00	Johnson County Refuse	1,365.00
City of Iowa City	4,076.00	Welt-Ambrisco Insurance	278.00
City of Coralville	750.00	Shive Hattery	2,728.40
L.L.Pelling Co. Inc.	33,973.67	Republic Companies	675.99
Iowa Prison Industries	91.22	Iowa Secretary of State	90.00
Galls Inc.	30.96	VISA	195.78
Phillips 66 Co.	17.19	Paul J. Batcheller	217.44
Iowa City Tire and Service	58.80	The Ammo Bearer Ltd.	189.50
Iowa City Scheels	29.99	Westport Touchless Autowash	15.00
Racom Corporation	123.60	Communications Engineering	223.86
Bell, Terry M.	150.00	Ferin, Nicholas J.	200.00
Ray O’Herron Co. Inc.	69.50	Carousel Ford	235.65
Fesler’s Inc.	37.50	Taser International	197.70
Mobile Vision	521.05	Wanda Robertson	75.00
Teresa Cutlow	75.00	Patricia or Verne Kelley	75.00
Mike Gay	75.00	Marlys Svare	75.00
Tom Bullers	75.00	Staples	287.30
MidAmerican Energy	590.90	McLeod USA	138.09
SEATS	644.07	Adam Nollmeyer	<u>18.44</u>
Phillips 66 Co.	14.00	TOTAL WARRANTS	\$64,834.96

MAYOR’S REPORT: Mayor Jacobson has been informed that the trees being removed on Birkdale were removed at the request of the FAA and removal paid for by the FAA. The trees exceeded height standards for the area. Letters questioning parking tickets from R. Hopson, Matlock and H. Schneider were read. The Council took no action on these letters. The Mayor again asked for investigation as to the need for the City to become a part of the Iowa Mutual Aid Compact (IMAC). **Mayor pro tem From** had attended the announcement of the “Herky on Parade” program and was pleased at the reception and attention given to all cities, including University Heights, as full partners in the program.

CLERK’S REPORT: One building permit for a garage at 124 Highland Dr. The owner of 406 Mahaska wishes to replace a tree in the parking adjoining Sunset St. The City Engineer is to contact the owner and report to the Council in December for the necessary approval for this planting.

LEGAL REPORT: Attorney Ballard had written a letter to the editor of the newspaper which published the story regarding fee parking on football game days, hoping to clarify the fact the City does not issue permits for this activity. The permits mentioned in the article are for sales tax collection. He had spoken to the Daily Iowan regarding distribution of fliers in the flower bed area and proper clean-up after. The owners of Grandview Apartments will be meeting with Ballard regarding their future plans for the area. Giese asked that garage space for police vehicles be discussed with them as they look to the future.

ENGINEER’S REPORT: One of the two small finishing touches to the street repair project is complete. Final payment will be made when the other area is done. Noel’s Tree Service has been contacted for removal of trees on Koser and Marietta and have been asked to complete the work in the next few days.

POLICE REPORT: A written report was filed. Wood asked about access to the evidence room in the lower level of City Hall. Chief Shimon stated that anyone has access to the room as long as they don’t handle the evidence stored there.

COMMITTEE REPORTS:

Finance: A written report is on file.

e-government: A written report is on file. Wood asked the status of research on access to City e-mail communications.

Building, zoning and sanitization: Leaf removal started on Saturday, Nov. 8th. The amount being collected is increasing due to a later collection date and more participation by residents. The water fountain in the park has been winterized.

Community protection: As noted in the Police Report, Officer J.T. Egli resigned his position without notice. This has led to discussion by the committee as to how many full-time officers should be employed and as to the compensation of the Chief and Assistant Chief for on-call time. **MOTION** by From, seconded by Laverman, to replace Officer Egli and hire a full-time office. The Police Chief and Assistant Chief are to be paid 10% of their hourly wage when “on call”. If they receive a call they will be paid for two (2) hours at the rate of 1.5 times their hourly rate. On call time beyond two (2) hours will be paid at the regular rate. The Chief and Assistant Chief will also be paid for scheduled time they work over their 40 hour week at the hourly rate. This policy is to be effective as of November 3, 2003. Carried

RESOLUTION MOTION by Laverman, seconded by Schoenmaker, to approve a Red/Blue light permit from the IDOT for the personal vehicle of Reserve Officer Dunbar.

	AYE	NAY
From	X	
Giese	X	
Laverman	X	
Schoenmaker	X	
Wood	X	

Resolution Carried

Laverman noted that he had viewed a police tape and complimented the force on their professionalism. Attorney Ballard spoke regarding the final pay of Officer Egli, stating that Egli owes the City for prepaid medical insurance and repayment of Academy training cost in the amount of \$3148.97, because he did not remain employed for a full year.

Streets and sidewalks: Costs for a bike rack were presented. The decision was to delay this and see if a rack can be included in the fy05’ budget. MidAmerican has installed the street light approved in October. Giese and Engineer Bilskemper have completed their walk-through of the City. They noted some sign changes necessary. Further investigation suggests no need for a “no outlet” sign on Mahaska Court.

JCCOG: No report due to no meeting.

MOTION by Laverman, seconded by Laverman, to adjourn. Meeting adjourned at 11:15 p.m.

Attest _____
Jerry B. Musser, Clerk

Approved _____
Gloria Jacobson, Mayor

