

UNIVERSITY HEIGHTS, IOWA**1004 Melrose Ave.****December 14, 2004****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 OF THE UNIVERSITY HEIGHTS CITY COUNCIL**

Mayor Jacobson called the meeting to order at 7:02 p.m.

PRESENT: Mayor Jacobson, Council members From, Giese, Laverman, Schoenmaker, and Wood.
 Staff: Attorney Ballard, Clerk Musser, Treasurer Kimura, Engineer Bilskemper, Police Chief Fort. Others present: Elizabeth Goetzman, Nancy Plate, Afam Ottenheimer.

MOTION by Wood, seconded by Laverman, to approve the minutes of the November 9, 2004 regular meeting of the Council as presented. Carried

PUBLIC INPUT: Elizabeth Goetzman was inquiring about the possibility of filling the ravine behind her property and other property on Highland Dr. due to the large amount of dirt that seemed to be being hauled from construction sites in the area. She was informed that all the property concerned was private property and such a project would need be arranged with the cooperation of all owners involved. There could also be local and state environmental concerns.

Attorney Ballard began explanation of the several ordinances presented and the reasons for the changes being made. All are corrective in nature and involve little or no change in Council policy.

MOTION by From, seconded by Laverman, to suspend the requirement that a proposed ordinance be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed for proposed Ordinances 138-145.

From	Aye	Giese	Aye	Laverman	Aye
Schoenmaker	Aye	Wood	Aye		<u>Carried</u>

MOTION by Laverman, seconded by From, to approve Ordinance No. 138, amending Ordinance No. 108, concerning the fine for possession of alcohol by minors.

From	Aye	Giese	Aye	Laverman	Aye
Schoenmaker	Aye	Wood	Aye		<u>Carried</u>

MOTION by From, seconded by Laverman, to approve Ordinance No. 139, prohibiting disorderly conduct and providing penalties.

From	Aye	Giese	Aye	Laverman	Aye
Schoenmaker	Aye	Wood	Aye		<u>Carried</u>

MOTION by Wood, seconded by Giese, to approve Ordinance No. 140, prohibiting public intoxication and providing penalties.

From	Aye	Giese	Aye	Laverman	Aye
Schoenmaker	Ay	Wood	Aye		<u>Carried</u>

MOTION by Schoenmaker, seconded by From, to approve Ordinance No. 141, prohibiting open containers of alcohol in public places and providing penalties.

From	Aye	Giese	Aye	Laverman	Aye
Schoenmaker	Aye	Wood	Aye		<u>Carried</u>

MOTION by Giese, seconded by Wood, to approve Ordinance No. 142, repealing Ordinance No. 33 (prohibiting disorderly conduct) and Ordinance No. 117, (amending Ordinance No. 33).

From	Aye	Giese	Aye	Laverman	Aye
Schoenmaker	Aye	Wood	Aye		<u>Carried</u>

MOTION by Wood, seconded by From, to approve Ordinance No. 143, prohibiting interference with public officers and providing penalties.

From	Aye	Giese	Aye	Laverman	Aye
Schoenmaker	Aye	Wood	Aye		<u>Carried</u>

MOTION by Giese, seconded by Wood, to approve Ordinance No. 144, amending Ordinance No. 89 regarding the penalty for public urination.

From	Aye	Giese	Aye	Laverman	Aye
Schoenmaker	Aye	Wood	Aye		<u>Carried</u>

MOTION by Laverman, seconded by Wood, to approve Ordinance No. 145, prohibiting operation of motor vehicles by individuals whose licenses are revoked and providing penalties.

From	Aye	Giese	Aye	Laverman	Aye
Schoenmaker	Aye	Wood	Aye		<u>Carried</u>

Treasurer's Report: Written report presented. Engineer Bilskemper presented billing for the 2004 street improvement project in the amount of \$39,547.79, net of retainage. The project was completed on November 10, 57 days past the contracted date. The issue of "liquidated damages" was discussed and explained by Bilskemper and Attorney Ballard. **MOTION** by From, seconded by Laverman, to assess liquidated damages in the amount of \$650 against the street improvement billing. Carried

This amount is to be deducted from the future billing for the amount of the retainage.

MOTION by Laverman, seconded by Wood, to approve all bills, including the street improvement billing as presented. Carried

Warrants November 10 – December 14, 2004

<u>Name</u>	<u>Amount</u>	<u>Name</u>	<u>Amount</u>
Rockafellow, Ryan P.	724.40	Sedivec, John A.	768.41
Hamm, Michael G.	901.47	Fort, Ronald R.	1,150.12
Thomas, Jason N.	40.64	Wellmark BC/BS	556.94
McLeod USA	112.57	MidAmerican Energy	89.93
MidAmerican Energy	64.99	MidAmerican Energy	58.39
MidAmerican Energy	602.76	Kimura, Lori D.	173.54
Musser, Jerry B.	302.70	Hamm, Michael G.	951.60
Rockafellow, Ryan P.	790.77	Sedivec, John A.	785.43
Fort, Ronald R.	1,066.28	Iowa State Bank & Trust	2,190.00
Collection Services Center	364.00	IPERS	1,592.89
Iowa State Bank & Trust	2,502.22	Paul J. Moore	750.00
City of Iowa	17.53	Electronic Engineering	58.80
SEATS	644.07	Iowa City Press-Citizen	337.51
Johnson County Refuse, Inc.	9,024.54	Greenwood & Crim, PC	795.00
Iowa City Tire and Service	32.00	Pyramid Services	229.31
Racom Corporation	125.20	Ultramax	249.00
City of Iowa City	56,738.40	Fesler's Inc.	22.99
Staples	203.65	Emergency Medical Products	131.50
Mercy Hospital	133.65	Sara Taylor	75.00
Susan J. Stammes	75.00	Westport Touchless Autowash	35.00
Westport Touchless, Coralville	5.00	Leff, Hauptert, Traw & Willman	18,114.50
Shive Hattery	2,066.40	Landa Painting, Inc.	<u>2,931.00</u>
All American Concrete, Inc.	39,547.79	TOTAL WARRANTS	\$148,132.89

RECEIPTS	General	49,377.42	Debt Service	7076.88	54,140.83
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Mayor's Report: The Mayor responded to a printed story and call from the local newspaper regarding a possible contract with the Iowa City Public Library. At the time of this meeting, the Mayor has had no contact from the Library regarding this issue. She reported on cougar stories she has received from around the country. Mayor Jacobsen and Clerk Musser had inspected the City safe deposit and inventoried the contents. The most significant items were the titles to the police vehicles. The Mayor reminded the Council to have their budget "wish lists" for the next fiscal year available for the January meeting.

Clerk's Report: An agreement with Greenwood & Crim, PC for preparation of the 05-06 budget was presented.

MOTION by Laverman, seconded by Wood to approve the agreement with Greenwood & Crim, PC for preparation of the fye 06 budget for a fee not to exceed \$575.00. Carried

Legal Report: The Zoning Commission had met on Nov. 18th regarding the Grandview property. The prospective developers are addressing the suggestions made by the Commission. A meeting is scheduled for January 10, 2005.

Engineer's Report: Engineer Bilskemper discussed the written report submitted.

Police Report: Written report presented. Chief Fort spoke of two instances of outstanding work by officers. Officer Hamm, who arrested a sex offender on an out-of-state warrant as the result of being very observant during a routine traffic stop, and Officer Rockafellow, who went beyond his call of duty in assisting a female after her apartment had been broken in to and trashed. Prior to the meeting, Chief Fort had distributed copies of a resignation letter from Assistant Chief John Sedivec. **MOTION** by Laverman, seconded by From, to accept the resignation of Assistant Chief John Sedivec from the police force. Carried

Committee Reports: Finance: Bike rack will be delivered soon. Budget is tight, but being dealt with.

e-government: No report.

Building, Zoning & Sanitation: No report

Community Protection: Chief Fort outlined his plan, as discussed with the committee, to go slow in hiring a replacement officer, reschedule the current staff to give maximum coverage, and to expand the duties of Jason Thomas, at his current rate of pay, to include clerical duties for the Police Department. This was agreed upon by consensus of the Council with the understanding that he is limited to no more than 50 hours per month. This plan should also help the Police Budget. Officers Hamm and Rockafellow are in line for pay increases at their one year and six month anniversaries. **MOTION** by Laverman, seconded by Fort, to increase the pay of Officer Mike Hamm \$0.50 per hour effective December 8, 2004, and the pay of Officer Ryan Rockafellow \$1.00 per hour effective Jan. 8, 2005. Carried

Chief Fort has favorable bid for a new squad car from a local auto dealer. The Committee reported that the City of New London is willing to pay approximately \$3000 of the ILEA expense University Heights incurred in training Matt Fort. Council member From had spoken to Matt Fort about the circumstances of his leaving University Heights and the volunteer work he has performed for the City on game days. **MOTION** by From, seconded by Giese, to waive the \$2000 reimbursement of ILEA expenses owed by Matt Fort. Carried

Streets and Sidewalks: Council member From and Engineer Bilskemper have completed their inspection of the streets and sidewalks in the City.

JCCOG: Schoenmaker had attended a JCCOG meeting on Nov. 10 and an Emergency Management meeting on Dec. 1. Of interest to University Heights, all cooperating groups have agreed to fund the rail excursion system study.

MOTION by Schoenmaker, seconded by Laverman, to adjourn. Meeting adjourned at 9: 35 p.m.

Attest: Jerry B. Musser, City Clerk

Approved: Gloria Jacobson, Mayor