

**UNIVERSITY HEIGHTS, IOWA**

**1004 Melrose Ave.**

**July 13, 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 7:00 p.m.

**PRESENT:** Mayor Jacobson. Council members From, Giese (by phone), Laverman, Schoenmaker, and Wood. Staff: Attorney Ballard, Engineer Bilskemper, Clerk Musser, Treasurer Kimura, Acting Police Chief Sedivec. Others present: Chris Luzzie, Erling A. Anderson, Steve Roe, Patricia Heiden, Sondrae Fort, John Cocomise, Harold Plate, Ron Fort, Linda Fincham, John Beck, Robert Downer, Afam Ottenheimer, Andy Dudler.

**MOTION:** By Laverman, seconded by Schoenmaker, to approve the minutes of the June 8 , 2004 regular meeting and special hearing regarding street repairs and the June 21 special meeting of the Council, subject to corrections.

Carried

Linda Fincham inquired about trash at 1212 Melrose and the condition of sidewalks along the north side of Melrose. Both concerns have been addressed. Harold Plate asked when repairs would be made to Highland Drive from George to Koser. He was informed that street should be in line for repair in the next fiscal year. Chris Luzzie was concerned that the Zoning Ordinance may need updating in anticipation of future projects since the Grandview Court project has been cancelled. She also asked how the Oaknoll request regarding revenue bonds affects the bonding capacity of the City for the future. Andy Dudler presented a request to plant a tree in the curb area at 205 Koser.

Robert Downer spoke on behalf of Christian Retirement Services, Inc. (Oaknoll) regarding their request for a Memorandum of Agreement and public hearing on the proposed issuance of revenue bonds or notes pursuant to Chapter 419 of the Iowa Code. They propose to use \$10,000,000 bonding capacity in 2004, \$9,000,000 in 2005 and a balance as needed, up to \$25,000,000 in the future. Downer responded to questions about the affect on University Heights and the how the interest rate and costs were impacted.

**RESOLUTION 04-09:** Authorizing the execution of a Memorandum of Agreement with Christian Retirement Services, Inc. and setting a public hearing for August 10, 2004 on the proposed issuance or revenue bonds or notes pursuant to Chapter 419, Code of Iowa.

From	Aye	Schoenmaker	Aye
Giese	Aye	Wood	Aye
Laverman	Aye		

Carried

Giese reported that donations have been received for the reconstruction project of the park shelter and that work would be done on the project on Saturday, July 17.

John Beck appeared asking for approval of a contract to repaint house numbers on curbs. There was discussion regarding use of the "Tiger Hawk" logo, licensing, and dealing with persons who do not want the number in place. **MOTION** by From, seconded by Laverman, to contract with John Beck for repainting of curb house numbers at the rate of \$7.50 per location. The Hawkeye logo is not to be used.

Carried

Beck was instructed to repaint only existing numbers and warn his crew to not make requests of homeowners.

The ongoing legal and nuisance concerns at 1212 Melrose were discussed. Based on documents presented and previously provided to the owner, there was a **MOTION** by From, seconded by Giese, to not renew the rental permit for 1212 Melrose Ave. for fiscal year 04/05.

Carried

Attorney Ballard advised the Council that this action was specific to the property and that they would need to take further action regarding the permit if the property ownership changed

Joe Cocomise, Chelsa Homes, LLC presented the Council a plan and his reasons for being allowed a variance from Municipal Design Standards regarding design and placement of sidewalk and driveway at 1425 Grand Ave.

**MOTION** by Wood, seconded by Laverman, to approve this request for variance and to not require sidewalk at this location at this time.

Carried

Ron Fort was presented by Laverman as a candidate for Police Chief. Mr. Fort spoke to the Council about his extensive experience in law enforcement, his desire to again work in the field, and his belief in making changes slowly when entering a new position. **MOTION** by Laverman, seconded by From, to appoint Ron Fort as Police Chief, effective July 14, 2004, at an annual salary of \$35,000, allowing four (4) weeks annual vacation, available immediately. His employment, salary and benefits would be subject to review by the Community Protection Committee after six months of employment. Carried

A brief recess was taken in the Council proceedings to allow Mayor Jacobson to swear in Ron Fort as University Heights Police Chief.

Proposed Ordinance No. 135 regulating commercial vehicles on city streets was presented by Attorney Ballard. Council members offered opinions on this oft-discussed issue. **MOTION** by Giese, seconded by Schoenmaker, to adopt Ordinance No. 135 regulating commercial vehicles on the streets of University Heights. **MOTION** by Laverman, seconded by From, to amend this motion by striking Section 3, "Commercial Vehicles upon Melrose Avenue and Sunset Street" from the ordinance in its entirety.

<b>Vote on amendment:</b>	From	Aye	Schoenmaker	Nay
	Giese	Nay	Wood	Nay
	Laverman	Aye		<u>Amendment defeated</u>

<b>Vote on motion</b>	From	Aye	Schoenmaker	Aye
	Giese	Aye	Wood	Aye
	Laverman	Nay		<u>Motion carried</u>

Passing the above motion constitutes the first consideration of Ordinance No. 135.

Another brief recess was taken for a presentation to honor former Police Chief Brian Shimon.

Stan Laverman and Charles Lortz had met as the ad hoc committee regarding the use of portable toilets. Their recommendation was to allow these facilities at locations where 15 or more vehicles are parked on football game days. The facilities should be removed after each game. Attorney Ballard will be drafting an ordinance to change Ordinance 127 in line with these recommendations.

**MAYOR'S REPORT:** There was discussion regarding participation in a meeting with other cities in the Metropolitan area and Johnson County and if University Heights was included. The Mayor had attended the Public Leadership Conference in Cedar Rapids. There discussion centered on trails, transportation, an employment skills report for the "Corridor" area and a possible common phone book. A regional helicopter was also part of the discussion. The Mayor listed items she felt should be included in the next newsletter and asked for input from the Council for other items.

**CLERK'S REPORT:** Two building permits since May, 328 Highland Drive and 210 Marietta Ave. Mediacom had written about a rate change for Broadcast Basic Cable. Assessor's Office employee, Gilpin, had identified two possible rental properties that were not registered.

**LEGAL REPORT:** Attorney Ballard has had discussion with someone interested in purchasing a lot that sets as an island within the Swisher property but old plats show a street to the lot. He has informed the person that the City will not be extending the street to this property. Any such action would be at the cost of the buyer. Ballard spoke further about the Oaknoll presentation and also had conversation about fire coverage for Horn School.

**Treasurer's Report:** **MOTION** by Giese, seconded by From, to approve all bills presented. Carried

<b>Warrants April 14 --- May 11, 2004</b>			
<u>Name</u>	<u>Amount</u>	<u>Name</u>	<u>Amount</u>
McLeod USA	106.25	Shimon, Brian S.	3,573.39
Wellmark BC/BS	853.65	MidAmerican Energy	600.62
MidAmerican Energy	70.26	MidAmerican Energy	119.95
MidAmerican Energy	107.09	From, Louise A.	184.70
Giese, David	184.70	Jacobson, Gloria N.	454.13
Laverman, Stanley M.	184.70	Wood, David G.	184.70
Schoenmaker, Adrian	184.70	Griffin, Chad J.	271.57
Kimura, Lori D.	210.12	Fort, Mathew A.	1,433.40
Hamm, Michael G.	1,646.40	Sedivec, John A	1,318.29

Collection Services Center	364.00	Shimon, Brian S.	123.96
Iowa State Bank & Trust	2,909.08	Treasurer, State of Iowa	1,217.00
IPERS	1,426.02	Iowa Workforce Development	32.11
City of Iowa City	13.28	City of Iowa City	3,340.88
Moore, Paul J.	650.00	Shimon, Brian S.	218.87
Pat Birk	75.00	Dewi Abramoff	75.00
Ann Allaire	75.00	Christine M. Luzzie	75.00
Jennifer Renton	75.00	Ingrid Smith	75.00
Ellen Hartz	75.00	Melanie Laverman	75.00
Brennan McGrath	75.00	Carolyn Walling	75.00
Johnson County Refuse	1,365.00	Brandt Heating & AC	72.90
NAPA	18.97	Carousel Ford	5,645.09
Federal Signal Corp.	147.17	Communications Engineering	20.50
Racom Corp.	123.60	Auto Glass Experts	298.00
Fesler's	54.00	Vic's Auto Body	231.93
City of Coralville	85.14	Phillips 66 Co.	7.00
Canterbury Amoco	8.00	Westport Touchless Autowash	20.00
SEATS	644.07	City of Iowa City	14.64
VISA	117.16	Staples	162.83
O'Reilly Auto Parts	239.45	Jennifer Reinhardt	75.00
Iowa League of Cities	447.00	Johnson County Emergency	246.75
Shive Hattery	3,122.23	Iowa City Press-Citizen	<u>120.85</u>
		<b>TOTAL WARRANTS</b>	<b>36,111.70</b>

**Engineer's Report:** The street repair project will begin in late July or early August. The street striping project is currently being worked on and should be completed soon.

**Police Report:** The written report was distributed. Acting Chief Sedivec has been contacted by an individual who needs to serve 50 hours of community service and would like to serve that working for University Heights. The Council gave informal approval.

**Finance:** No report.

**e-government:** There is now a new website host and e-mail setup.

**Building, zoning & sanitation:** No report

**Community protection:** The committee intends to hold some type of open house to introduce the new police chief and new officer.

**Streets and sidewalks:** An individual has been contacted who will repair the Melrose sidewalks which are under repair order by the end of August. The street sweeping apparently was not done. There were questions as to the necessity of doing so given the amount of recent rain.

**JCCOG:** Topics of discussion were Solid Waste and the extended life of the landfill, a joint county-wide communication system and street and highway issues. JCCOG will meet again Sept. 18.

**MOTION** by Laverman, seconded by From, to adjourn the meeting at 11:05 p.m. Carried

Attest: Jerry B. Musser, City Clerk

Approved: Gloria Jacobson, Mayor