

November 11, 2008

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 November, 2008 meeting of the University Heights City Council to order at 7:00 p.m..

Present: Mayor From. Council Members Amy Moore (departing when indicated), David Giese, Stan Laverman (arriving when indicated), Brennan McGrath and Andy Dudler. Staff present: Engineer Bilskemper, Attorney Ballard, Treasurer Kimura, and Police Chief Fort. Also present were Pat Bauer, Christian Prochaska, Jane Swails, and Chief Dave Stannard of the Coralville Fire Department.

The minutes of the October 2008 meeting were approved by **unanimous consent**.

Public Input: A citizen complimented the efforts of Johnson County Refuse concerning leaf removal. The citizen also asked why new fire hydrants recently were placed in certain locations. The Council explained that the hydrants were placed as part of the City of Iowa City's water main project.

Mayor's Report: The Mayor's written report was received.

Legal Report: Initial consideration of Ordinance No. 170 authorizing the City Council to employ an administrative police chief. This Ordinance came about because Chief Ron Fort will be turning 66, and Iowa law requires that a police officer may not serve past age 65. The law does, however, permit the city to employ an individual who is not a police officer as an administrative police chief, whose functions would include all of the duties associated with the Chief of Police aside from those that could only be performed by a police officer. Chief Fort submitted a list of duties that could be performed by an administrative chief and also submitted a proposal whereby the administrative chief would serve less than full-time and the city would employ another police officer on a part-time basis. The Council deferred action on considering Ordinance No. 170 so that Laverman could participate.

A proposed snow removal contract with Johnson County Refuse was presented for consideration.

MOTION by Giese, seconded by McGrath to approve the contract for snow removal service with Johnson County Refuse effective October 1, 2008, through October 1, 2010. **Carried.**

Clerk's Report: Liquor license renewal from Taste on Melrose.

MOTION by Giese, seconded by Moore to approve renewal of license. In the interest of full disclosure, McGrath clarified that, although the company for which he works supplies wine products to Taste on Melrose, he is not directly involved with those sales in his management capacity and therefore has no conflict of interest. **Carried.**

Finance Report:

First American Bank submitted a written proposal for providing certain financial services to the City. Laverman and Kimura will review the proposal from First American Bank; if they want to recommend that the council make banking changes, they will put a proposal on the December 2008 agenda

Consideration of to approve Resolution 08-10 approving the annual financial report for the fiscal year ending June 30, 2008.

MOTION by Moore, seconded by McGrath to approve the Resolution. **Carried.**

Treasurer's Report: The Council received the Treasurer's written report. All bills presented were approved by unanimous consent.

**Warrants
October 15, 2008 through November 11, 2008**

Name	Amount	Name	Amount
Matthew Fort	1,061.31	Paul Moore	750.00
Ronald Fort	1,143.49	City of Iowa City	13.91
Brad Reinhard	1,088.50	Breese Plumbing & Heating	101.76
Donald Strong	1,041.64	Communications Engineering Company	14.52
McLeod USA/PAETEC	127.76	Paul Moore	35.00
MidAmerican Energy	35.10	ABC Solutions	14.41
MidAmerican Energy	30.52	City of Iowa City	3,329.19
MidAmerican Energy	93.10	Galls Incorporated	27.53
MidAmerican Energy	611.36	Iowa Department of Public Safety	798.00
Christine Anderson	274.15	Johnson County Refuse, Inc.	1,555.50
Mathew Fort	1,261.84	O'Reilly Auto Parts	62.98
Ronald Fort	1,511.61	Pyramid Services Inc.	1,302.46
Lori Kimura	246.25	Racom Corporation	142.30
Brad Reinhard	1,046.42	Ultramax	610.00
Donald Strong	1,520.12	VISA	487.05
Wellmark BC/BS	1,024.74	Watch Guard	5,200.00
MidwestOne Bank	25.00	Iowa City Press-Citizen	111.65
MidwestOne Bank	5.00	Iowa Paper Inc.	95.99
MidwestOne Bank	3,925.52	Chezik Bell Ford	22,874.00
IPERS	2,000.35	Seats	689.86
IPERS	111.23		

Total Receipts: \$201,271.53

Total Warrants: \$56,401.12

(Councilmember Laverman arrived.)

Community Protection:

Chief Dave Stannard of the Coralville Fire Department orally presented his annual report to the Council. A formal written report will be forthcoming. The Council thanked Chief Stannard for his and his department's ongoing efforts.

The Council returned to its consideration of Ordinance No. 170 concerning an administrative police chief.

MOTION by Laverman, seconded by McGrath to suspend the requirement that a proposed ordinance be considered and voted upon for passage at two council meetings prior to the meeting at which it is to be finally passed. **Carried.**

Dudler	AYE	McGrath	AYE
Giese	AYE	Moore	AYE
Laverman	AYE		

MOTION by McGrath, seconded by Moore to adopt Ordinance No. 170. **Carried.**

Dudler	AYE	McGrath	AYE
Giese	AYE	Moore	AYE
Laverman	AYE		

The Council will consider a resolution outlining the specific duties of administrative police chief at the December 2008 meeting.

MOTION by McGrath, seconded by Giese to authorize Chief Fort to hire Ben Lord as a part-time police officer commencing December 1, 2008 at a salary of \$15.43 per hour. **Carried.**

Streets and Sidewalks: The bill for leaf vacuuming exceeded the budget based upon the weight of the leaves.

(Councilmember Moore departed the meeting.)

Discussion of Ordinance No. 179 and enforcement of off-street parking restrictions and encroachment upon required yards. The Council instructed Attorney Ballard to prepare an amendment to the present ordinance with the following particulars: 1) If more than one-third of a front yard is used for parking and is a permanent, dust-free surface, as of December 1, 2008, then it will be grandfathered and permitted to continue; 2) if more than one-third of a front yard is used for parking but is composed of gravel or some other material that is not a permanent, dust-free surface, then it will be required to conform; and 3) the Board of Adjustment will be empowered to consider variances.

The Council discussed the intersection of Benton Street and Sunset Street and the shrubs and vegetation growing at 536 Mahaska Court. The trimming that has been done still does not comport with the City's ordinance. In addition, the City Engineer was directed to report on the site-distance at this intersection in light of the retaining wall at 536 Mahaska Court. Attorney Ballard will notify the property owner that the shrubs and vegetation need additional trimming and that site-distance issues will be considered further.

Engineer's Report: The Ronald McDonald House will come through a portion of the city in 2009 as it has in the past.

The owner of Lot 115 is looking into the possibility of moving the storm sewer on the property. The owner has not yet signed and returned the proposed Storm Sewer Easement previously sent, but indications are that it will be forthcoming.

The Council discussed drainage issues on Highland Drive. All-American Concrete has indicated that it believes it has performed all of its work under the contract. Engineer Bilskemper will obtain estimates for completing remaining work, expected to cost something less than \$400.00, and notify All-American Concrete that the cost of completing this work will be deducted from the contract retainage, with the balance then remitted to All-American Concrete.

JCCOG: Report was received by the Council.

E-government: No report.

The meeting was adjourned **by unanimous consent at 9:02 p.m.**

Attest: Steven E. Ballard, City Attorney
substituting for Christine Anderson, City Clerk

Approved: Louise A. From, Mayor

