

City of Elk Run Heights
Special Council Meeting
Located at Eddis Winstead Council Chambers
June 29, 2021 - 6:00 p.m.

Mayor Lundy called the meeting to order at 6:00 pm. All present recited the Pledge of Allegiance. Roll call of Council Members: Present –Smock, Ratchford, Bass, and Sallis. Absent – Wilson. Quorum present.

Ratchford/Bass to approve of the June 29, 2021 Agenda. Ayes-four. Motion carried.

Ratchford/Smock motion to approve Resolution Calendar - a) Resolution 3087 a Resolution repealing approval of Resolution 3084 authorizing the transfer of certain money as outlaid and authorizing the clerk to make the transfer b) Resolution 3088 authorizing the final payment of bills and transfers for FY21 c) Resolution 3089 approving FY22 compensation as budgeted d) Resolution 3090 approving Mayor to sign contract with Building and Grounds LLC of Ossian, Iowa for the Mayor's Park restroom and rain garden project in an amount not to exceed \$37,000 with changes to the contract contents e) Approval of Cigarette/Tobacco Products Permit Renewals: i. Casey's #3041 ii. Road Ranger #144. Roll call vote: Ayes-four.

Ratchford/Bass to adopt Ordinance 273 an ordinance of the City of Elk Run Heights, IA, amending chapter 13.24, sanitary disposal of garbage and refuse, section 13.24.160, schedule of fees, rates, and charges to \$13.25 per month. Roll call vote: Ayes-four.

Discussion: Library contract options and compare proposed pricing. City Clerk Eastman explained the need for looking into contracts being that the director and director's assistant left the library and there is a possibility Elk Run may not be able to acquire services for a stretch of time. It was questioned as to why both employees would quit. Council went on to discuss the library board pointing out the lack of contentment with the director. It was also discussed that our City representative recently resigned from the board in June and based on the resignation letter it was a stressful environment and they felt the director was being unfairly singled out by an inner circle of members. Council agreed they are comfortable looking for other contracts, and that they disagree with the ways in which the director and the assistant have been treated.

Eastman explained she had not gotten pricing yet, due to short notice. Eastman stated Waterloo looks like it would be at least \$16.23 per capita. Jesup is looking like it would possibly be \$12.00 per capita, and an additional \$1.00 per year for a 5-year contract. In addition, Dunkerton was contacted but has not provided any pricing. Mayor Lundy asked when Evansdale hires a librarian would we have to go back to their services. Eastman responded by moving forward with one of the other City's library services we would then be in contract with them and not return to the Evansdale library. Adding the 28E with Evansdale expired in June of 2020, but they were waiting for the Census results to present us with another contract. Previously the cost with Evansdale Public Library was \$10.50 per capita. Councilor Ratchford stated it is closer for our residents to go to Evansdale. Councilor Smock pointed out that the City is required by state law to provide contracted library service, but anyone can go to any library and use the services without there being a contract.

Discussion: Dead trees on City property. City Clerk Eastman went over the locations of four trees within the city. There were two trees that are located on the property of residents. Council discussed and agreed the two trees on private property would be the responsibility of the homeowner, but to go ahead with the other two trees located at the Sutton Ave. lift station.

Discussion: Location for the speed humps. After discussion, the locations were agreed upon and Councilman Ratchford will meet with Tom to help specify those locations. The speed bumps will be installed on Lafayette east of Marie Ave, one on Shirley Ave and two on Elk Run Street. Hopefully helping with the speeding on these streets.

Discussion: Franchise fee customer classifications. City Clerk Eastman asked if there were any property types that should be considered exempt. Council agreed only government buildings have been exempt and to continue with that.

Discussion/Possible Action: Setting the date of fireworks to include Saturday and Sunday for Independence Day celebrations for 2021. Council discussed the fact that the Holiday falling on Sunday leaves the door open for several residents to be using fireworks on Saturday. It was agreed rather than the Police being called multiple times to allow Saturday to be a legal day for fireworks use.

Ratchford/Smock to approve resolution 3091 a resolution of the Elk Run Heights City Council authorizing the use of consumer fireworks, and temporarily amending city code fireworks Ordinance 9.19 by allowing the use of fireworks to include the 3rd of July. Roll call vote: Ayes-four.

Review of City Ordinances:

a) MANUFACTURED HOMES: City Clerk Eastman explained the Council has already requested manufactured homes not be allowed in the City. Simmering Cory informed the Clerk that according to Iowa code we cannot prohibit this; but provided some samples. In addition, it was recommended setting a minimum dwelling standard. After discussion Council asked that Eastman find out if code can exclude mobile home and mobile home park from our code.

b) BUILDING CODES: Council agreed to adopt by reference the Evansdale Building, Plumbing, and Mechanical codes due to the contract with the building inspector and those being the codes he knows and follows. In addition, adopt the state's Electrical code due to them providing the service for the City at this time.

c) SUBDIVISIONS: City Clerk Eastman stated she had contacted the City Engineer Mike Dryden for clarification on some of the sections in the Elk Run Code beings there were so many differences from the sample that had been provided. Dryden explained that everything that has been adopted in the past is there for a reason; aside from several definitions that are needed. Dryden also agreed the section on Places could be omitted. Council agreed to follow the advice of the engineer.

e) PLANNING AND ZONING COMMISSION: Simmering Cory provided standard wording for samples. City Clerk Eastman explained there will be a section specifically for the Boards and Commissions, who appoints them and their duties. Adding there will be part of the current section that remains in the planning and zoning section. Council agreed with the standard wording sections.

f) BOARD OF ADJUSTMENT: After review Council requested to use the Evansdale version.

Ratchford/Sallis to adjourn at 7:07 p.m. Ayes-four. Motion carried.

Attest:

Kristi Lundy, Mayor

Julie Eastman, City Clerk