

City of Elk Run Heights
Regular Council Meeting
April 11, 2023 - 6:00 p.m.
Located at Eddis Winstead Council Chambers

The City Council of the City of Elk Run Heights, Iowa met in regular session, according to law, the rules of said Council and prior notice given each member thereof, in the Council Chambers of City Hall of Elk Run Heights, Iowa at 6: 00 p.m. on the above date. Council members present in order or roll call: Galbraith, McChane, Bass, Sallis, Wurtz. Quorum present.

Bass/McChane to approve the April 11, 2023 agenda. Ayes-five. Motion carried.

Sallis/Galbraith to approve the consent agenda: a. Approve the March 14, 2023 regular meeting minutes b. City Clerk's Reports as of March 31, 2023: Budget Report, Treasurer's Report, and Revenue and Expenditure Reports and Investment Report. c. Approval of Department reports: Building Inspection, Library, PeopleService Sewer/Water, and Police reports. Ayes-five. Motion carried.

Wurtz/Bass to approve the resolution calendar a. Resolution 4111 appointing Heather Sallis as the two designated voting alternates to the Black Hawk County Metropolitan Area Transportation Policy Board for a term of one year b. Resolution 4112 allowing the Mayor to sign into contract with Iowa Finance Authority for the WFTAP Grant award of \$250,000.00 to be used towards the Wastewater Treatment Plant Project c. Resolution 4113 setting the date of Public Hearing for FY23 Budget amendment d. Resolution 4114 authorizing the payment of bills and transfers. Wurtz requesting to pull item c. Roll call vote: Ayes-five.

Wurtz/Sallis to approve item c. Resolution 4113 setting the date of Public Hearing for FY23 Budget amendment. Councilor Wurtz asked for confirmation that the amendments will be brought to Council before approval. Roll call vote: Ayes-five.

Galbraith/McChane to approve reappointment of Dale Wilson to the Board of Adjustment with a term expiring on 03/01/2028. Ayes-five. Motion carried.

Sallis/Bass to approve appointment of Zach Norgren to the Planning and Zoning Commission with a term expiring on 01/01/2028; and Jon Tisue filling a seat on the Planning and Zoning Commission with a term expiring on 01/01/2027. Ayes-five. Motion carried.

Sallis/Wurtz to deny request from Richard Treloar of 133 Toneff Dr. requesting reimbursement for sewer back up in his basement in January of 2023. After a discussing the conversations had with Mr. Treloar, reviewing the footage from the line being televised, the denial from our insurance company, and going over the bills for the emergency calls to Municipal Pipe Tool it was agreed that the city will not be reimbursing the homeowner. Councilor Wurtz stated he was hoping to discuss with the homeowner the effects this could have on all residents' bills in the long run if the City began reimbursing for all of these types of situations. Ayes-five. Motion carried.

Public Discussion: Ron Ratchford asked to have a reminder to pet owners put into the newsletter to pick up after your pets.

Bass/Galbraith to open the Public Hearing to adopt the Fiscal Year 2024 budget at 6:17 p.m. Ayes-five. Motion carried. City Clerk Eastman stated there were no public comments and proof of publication is on file. Sallis/Wurtz to close at 6:17 p.m. Ayes-five. Motion carried.

Galbraith/Sallis to approve resolution 4115 adopting the FY24 Budget. Roll call vote. Ayes-four. Nays-Wurtz. Motion carried.

Review of FY22 exam by the Office of Auditor of State. Mayor Smock stated the exit interview went very well and the auditors were happy with the results. Councilor Wurtz expressed his dismay in the press release. Wurtz continued to discuss item E, which is regarding the accounting policies and procedures manual. City Clerk Eastman explained that the software company provides many of the procedure manuals. Eastman stated it was clarified this year that she will need to have something in place stating how/when/and where the annual state required reports and other Clerk responsibilities are listed; therefore, this will not be on the exam next year.

Eastman continued discussing item C, Reconciliation of Utility Billings, stating that before this current fiscal year they were unable to balance them, but since moving to monthly billing the reports all match therefore it will not be on the exam next year.

The clerk then discussed item F, Annual Urban Renewal Report, reminding Council that in January it was brought to them that the report had been completed but not submitted on time.

Councilor Wurtz mentioned item B, Bank Reconciliations, asking if this process was still in place. Mayor Smock stated she had been conducting the audits for some time, and Councilor Sallis has agreed to take over the review of reconciliations.

Discussion: Setting the date of fireworks for FY24. The council discussed some of the options and decided to allow fireworks on the 4th of July only.

Bass/McChane to deny request for Extraterritorial Service. City Attorney Prendergast recommended to Council they deny the request due to the lack of providing requested information. Ayes-five. Motion carried.

Galbraith/Sallis to approve request from PeopleService to replace rusted force main piping at Sutton Lift Station. Jordan Cooper with PeopleService explained the project is within the current budget. Ayes-five. Motion carried.

McChane/Sallis to approve the first reading of Ordinance 280 amending Chapter 75, All-Terrain Vehicles and Golf Carts, Section 75.09 Permits. The City Clerk explained the change is removing the ATVs from the permit section due to updated State regulations. Roll call vote. Ayes-five. Motion carried.

Bass/McChane motion to suspend the rules requiring the 2nd and 3rd reading and place on file final adoption of Ordinance 280. Roll call vote. Ayes-five. Motion carried.

Bass/McChane motion to adopt Ordinance 280. Roll call vote. Ayes-five. Motion carried.

Bass/Galbraith motion to post Ordinance 280 instead of publishing as allowed per Chapter 1.16.020; Public posting in lieu of publication. Roll call vote. Ayes-five. Motion carried.

Sallis/Bass to approve request from Anton Garrett to set up food truck at Mayor's Park April 15, 2023. Ayes-five. Motion carried.

Discussion: South Elk Run Road guardrail updated costs. City Clerk Eastman informed Council the original estimated cost of \$28,000 has been increased to \$33,222.50. City Attorney Prendergast asked about the 28E agreement, and the clerk stated she would locate and send to her. The council agreed to transfer the difference from Local Option Sales Tax if needed.

Discussion: Garage for sale next to street garage. Mayor Smock explained to the Council that the property has not been listed yet but asked if they were interested in finding out the asking price. The council discussed it and agreed not to look into it at this time.

Engineer Reports: Mike Dryden informed Council he is tying things up with the Mayor's Park TAP grant and it should be done by the next meeting.

Council Reports: Councilor Gary Wurtz stated he would like to start working towards a 5-year plan again. Mayor Smock stated that she had planned on getting back to the planning talks in the near future.

Mayor's reports: Mayor Smock discussed the season position and explained it has been posted and hoping to be filled soon. Smock informed the Council the STBG Grant meeting is coming up and we will know if we receive the additional funding for the Gilbertville/Lafayette Rd. project at that time.

Kid City will be removed at the end of April. The Boys and Girls Club are still working to purchase the building. Smock mentioned the updated sign for Mayor's Park. In addition, it was mentioned to have Friday June 2nd closed due to requested days off.

Sallis/Bass to adjourn at 7:19 p.m. Ayes-five. Motion carried.

Attest:

Lisa Smock, Mayor

Julie Eastman, City Clerk