

City of Elk Run Heights
Regular Council Meeting
October 8, 2024 – 5:00 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 5:00 p.m. on the above date. Council members present in order or roll call: Sallis, Wilson, Rodden, Galbraith, and Bass. Quorum present.

Bass/Rodden to approve the September 10, 2024 agenda. Ayes-Five. Motion carried.

Wilson/Galbraith to approval of the Consent Agenda: a. Approve the September 10, 2024 regular meeting minutes b. Approval of Department reports: Building Inspection and PeopleService. Ayes-Five. Motion carried.

Sallis/Wilson to approve of the Resolution Calendar: a. Resolution 4206 authorizing the payment of bills b. Resolution 4207 authorizing the approval of the FY 2024 Urban Renewal Report c. Resolution 4208 setting the date of public hearing for approval of the proposed plans, specifications, form of contract, and estimated cost for the construction of the Gilbertville/Lafayette Road Reconstruction Project for October 22, 2024 at 5:00 p.m.
Roll call vote: Ayes-Five.

Public discussion: None.

Request from Eric Bertch for Council to consider allowing a septic tank in lieu of attaching to city sewer systems due to the placement of house being built more the 600 feet from the nearest manhole. Eric Bertch appeared and presented council with area maps outlining the proposed property lines. After discussion it was decided he will be leaving the driveway as the neighboring landowners property which excludes him from being required to hook to city sewer. It was brought to his attention there are additional stops needed with the Planning and Zoning commission for approval of plats.

Bass/Rodden motion to open the Public Hearing on Designation of the Elk Run Heights Housing Urban Renewal Area and on Urban Renewal Plan and Project at 5:41 p.m. Ayes-Five. Motion carried. City Clerk Eastman stated there is proof of publication and no public comment on the file. Bass/Sallis motion to close at 5:41 p.m. Ayes-Five. Motion carried.

Sallis/Wilson motion to approve Resolution 4209 to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Project for the Elk Run Heights Housing Urban Renewal Area. Roll call vote: Ayes-Five.

Wilson/Galbraith motion to approve the first reading of Ordinance 294 Providing for the Division of Taxes Levied on Taxable Property in the Elk Run Heights Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa. Ayes-Five. Motion carried.

Bass/Wilson motion to suspend the rules requiring the 2nd and 3rd reading and place on file final adoption of Ordinance 294 Providing for the Division of Taxes Levied on Taxable Property in the Elk Run Heights Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa. Roll call vote: Ayes-Five.

Rodden/Galbraith motion to adopt Ordinance 294 Providing for the Division of Taxes Levied on Taxable Property in the Elk Run Heights Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa. Roll call vote: Ayes-Five.

Rodden/Galbraith motion to approve Resolution 4210 Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with 3 Stooges, LLC, Including Annual Appropriation Tax Increment Payments for November 12, 2024 at 5:00 p.m. Roll call vote: Ayes-Five.

Sallis/Wilson motion to open Public Hearing to approve the rezoning request application from 3 Stooges, LLC to rezone parcels 881203304002, 881203326003, and 881203326004 located on Dubuque Road changing it from Commercial to Residential at 5:44 p.m. Ayes-Five. Motion carried. City Clerk Eastman stated there is proof of publication and no public comment on the file. Bass/Rodden motion to close at 5:45 p.m. Ayes-Five. Motion carried.

Bass/Rodden motion to approve the first Ordinance 296 amending the Elk Run Heights Code of Ordinances Chapter 165.06 Zoning Ordinance by rezoning of parcels 881203304002, 881203326003, and 881203326004 located on Dubuque Road changing it from Commercial to Residential. Ayes-five. Motion carried.

Bass/Wilson motion to suspend the rules requiring the 2nd and 3rd reading and place on file final adoption of Ordinance 296 amending the Elk Run Heights Code of Ordinances Chapter 165.06 Zoning Ordinance by rezoning of parcels 881203304002, 881203326003, and 881203326004 located on Dubuque Road changing it from Commercial to Residential and adopt Ordinance 296. Roll call vote: Ayes-Five.

Sallis/Wilson motion to approve Resolution 4212 approving the preliminary plat for the Elk Run Timber Estates Addition. Roll call vote: Ayes-Five.

Rodden/Galbraith motion to open Public hearing on a proposed Development Agreement with JJR Investments, LLC at 5:48 p.m. Ayes-five. Motion carried. City Clerk Eastman stated there is proof of publication and no public comment on the file. Bass/Rodden motion to close at 5:45 p.m. Ayes-Five. Motion carried.

Galbraith/Wilson motion to approve Resolution 4213 approving the development agreement with JJR Investments, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. Roll call vote: Ayes-Five.

Bass/Rodden motion to open Public hearing on a proposed Development Agreement with WB & Company LLC at 5:49 p.m. City Clerk Eastman stated there is proof of publication and no public comment on the file. Bass/Rodden motion to close at 5:50 p.m. Ayes-Five. Motion carried.

Sallis/Wilson motion to approve Resolution 4214 approving the development agreement with WB & Company LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. Roll call vote: Ayes-Five.

Bass/Rodden approve Resolution 4215 approving the Chainsaw and Felling Program Policy to the City of Elk Run Heights Safety Policies. Roll call vote: Ayes-Five.

Bass/Wilson motion to approve request from Mayor to hire Kugler Construction to repair and rebuild the roof on shelter 2 at Mayors Park in an amount not to exceed \$22,500.00. Ayes-Five. Motion carried.

Wilson/Bass motion to approve request from PeopleService to have CIT Sewer Solutions perform sewer lining in an amount not to exceed \$135,313.73. Ayes-Five. Motion carried.

Discussion/Possible Action: Computer Troubleshooters quote for services/decision from discussion regarding IT coverage with Computer Troubleshooters. After discussion the council asked for more information to be brought back to the next meeting.

Wilson/Galbraith motion to approve the renewal of the employee's benefits package. Ayes-Five. Motion carried.

Wilson/Rodden motion to approve the rate increase of the community room to \$75.00 for residents and \$125.00 for non-residents. In addition, it was agreed that residents who rent the room for non-residents will lose the deposit and will no longer be allowed to rent the room in the future. Ayes-Five. Motion carried.

Public Works updates/reports: Tom Lentzkow discussed a 1-ton truck he recently was informed about. Some options were discussed about the sale of city vehicles, and it was agreed to get more concrete information and bring it back to the next meeting for further discussion.

Engineer Reports: Mike Dryden discussed the bid tabulations from the Gilbertville/Lafayette Road Project.

Mayor's Reports: Mayor Smock thanked Jason Bently for the donation toward the park! Additionally, Smock thanked Councilman Bass for helping paint at City Hall. Everyone was invited to go to the park and check out the new informational signs in the park.

Sallis/Wilson to adjourn at 7:01. Ayes-five. Motion carried.

Attest:

Lisa Smock, Mayor

Julie Eastman, City Clerk