

City of Elk Run Heights  
Regular Council Meeting  
City Hall Council Chambers  
January 12, 2016 - 7:00 p. m.

Mayor Swope called the meeting to order at 7:00 pm. All present recited the pledge of Allegiance. Roll call of Council Members: Present – Heth, Wilson, Smock, Bass and Ratchford. Quorum present. Heth/Bass motion to approve the January 12, 2016 Agenda. Ayes – 5. Motion carried.

Smock/Heth motion to accept the Consent Agenda approving the December 8, 2015 regular council meeting minutes and the January 8, 2016 special meeting minutes, accept the City Clerk's Reports, Investment Report, the Revenue and Expenditure Reports as of December 31, 2015 as presented and approve Resolution 2781 approving and authorizing the payment of city bills. Roll call: Ayes – 5. Motion carried.

Mayor Swope and council reviewed Evansdale's Proposal for the Police and Fire contract quotes. Mayor Faas, Evansdale Chief of Police Jeff Jensen, Fire and Ambulance Assistant Chief Ryan Phillips, Justin Smock and JT Picha spoke to council and provided response reports. Ratchford ask if there is twenty-hour protection. J.T. replied yes. Justin stated the EMT training is the same as Waterloo and licensing in Iowa is at a state level. Mayor Faas reported the averages for Police, Fire and Ambulance. Council asked if the Fire and Police contracts were a package deal. Mayor Faas replied that would be preferred. Mayor Faas indicated Evansdale's police respond initially to fire and ambulance calls and are trained to start emergency services. Ratchford asked Chief Jensen how many officers were available. Chief Jensen replied there is always as least 2 to3 officers depending on the shift. Chief Jensen stated his department serves Evansdale but also has a mutual aid contract and backs up all surrounding areas. City Attorney Heather Prendergast mentioned a previous concern with item six in the Fire 28E contract pertaining to liability. Mayor Faas replied Evansdale's Attorney Laura Folkerts would address this concern. Mayor Swope ask council to think about the offer and be prepared to make a decision by the January 19<sup>th</sup> special budget meeting. Chief Jansen suggested council tour their facilities. Resident Arlan Schellhorn, 216 Sutton Avenue, asked if the arrival time reflect when the police arrived. Mayor Faas replied would be ambulance not police. Resident Al Cross, 434 Amber Lane, ask if Black Hawk County Sheriff and the Waterloo Fire Department was ask to speak to council. Smock replied yes they were invited before and they declined.

Bass/Ratchford motion to approve Resolution 2782 authorizing Pay Estimate #2 to Frickson Brothers Excavating, 737 Colleen Avenue, Evansdale, for the Elk Ridge Estates First Addition Improvements in the amount of \$8,700.00 as prepared by Ament Design. Roll call: Ayes – 5. Motion carried. Bass questioned if this was part of the original contract. City Engineer Mike Dryden replied yes.

Bass/Heth motion to approve Resolution 2783 authorizing Change Order #1, for the Plaza Drive Reconstruction Project in the City of Elk Run Heights dated January 5, 2016. Change Order #1 which reduces the contract value of the Plaza Drive Reconstruction Project by \$27.37. Change Order #1 modifies the storm sewer and modifies the erosion control by changing the silt fence to slope sediment control devices (waddles). Roll call: Ayes – 5. Motion carried.

The City Attorney Prendergast updated the council on the former Raymond Road Trailer Court litigation. City Attorney Prendergast will speak with Evansdale's new attorney Mike Young or Laura Folkerts regarding the Elk Run Suspension Bridge to determine who would write a draft for a lease of the bridge.

Mayor Swope and council reviewed the Nuisance Ordinance. City Attorney Prendergast explained she had broken down into sub paragraphs the items under Section V – items stored in outdoor areas or in partially enclosed sheds, lean-tos or other structures not totally enclosed by structural walls, a roof and properly functioning doors.

Smock/Ratchford motion to set the Public Hearing for the Nuisance Ordinance to be held February 9, 2016, the next regularly scheduled council meeting. Roll call: Ayes – 5. Motion carried.

Smock/Ratchford motion to set the Public Hearing for the Abandoned, Inoperable and Junk Vehicles Ordinance to be held February 9, 2016, the next regularly scheduled council meeting. Roll call: Ayes – 5. Motion carried.

Mayor Swope and council reviewed the Personnel Policy. Council reviewed different sections of the personnel policy referring to Overtime, Comp time and PTO. Heth will make suggested changes and forward policy to city clerk for council review at the February 9, 2016 meeting. Bass/Smock motion to table Resolution approving the amended Personnel Policy. Ayes – 5. Motion carried.

Wilson/Bass motion to approve Resolution 2784 authorizing payment to the City of Evansdale for the nine percent (9%) or \$17,569.71 of the Dubuque Road Bridge total repair cost. Roll call: Ayes – 5. Motion carried.

Smock/Ratchford motion to approve Resolution 2785 amending the Elk Run Estates Restrictive Covenants to reflect the change of minimum square footage of a home from 1500 square feet to 1400 square feet effective immediately and replaces all previous versions. Roll call: Ayes – 5. Motion carried.

Mayor Swope introduced Redflex Traffic System's representative Patrick Howley. Mr. Howley explained he had been unable to affix the device to the center of the road on Lafayette Road and Gilbertville Road due to frozen roads. This device measures the number of vehicles and their speed which would determine the need for these cameras. Mr. Howley gave the council brochures about how the system works; adding Redflex has twenty-five years of experience. The City decides hours, speed and law enforcement to receive data. Two units are on each pole for each lane recording date, time, speed and direction. Redflex checks state laws and checks that the auto matches, and then sends information via website to law enforcement. Law enforcement reviews then accepts or rejects each one. Bass questioned if trucks included. Mr. Howley replied yes it could be adjusted to report truck traffic. Heth was concerned about location of license plates on vehicles and ask if rear view was an option. Mr. Howley replied yes. Mr. Howley will try to place the device again weather permitting. Chief Jensen's concern is the identification of the driver. Mr. Howley stated the owner is responsible. City Attorney Prendergast added the City of Cedar Rapids fines the owner. Mr. Howley suggests "Posted Area" signs. He added this feature is for a safety issue and the city should be very transparent about it and allow plenty of public awareness. Mayor Swope ask about the length of a contract, percentage of tickets and

cost to City Hall. Mr. Howley responded the length of the contract is up for negotiation and to be determined by the volume. Mr. Howley will keep Ratchford posted when he will try the study again. Heth and Ratchford questioned if other locations could be monitored. Mr. Howley replied yes.

An update discussion was held on the Waste Water Treatment Plant; Mayor Swope explained he had met with the City of Evansdale Mayor Doug Faas and with the City of Raymond Mayor Monte Johnson regarding engineer costs associated with hooking up with Evansdale. Mayor Faas verified Evansdale's plant could handle normal flows however peak flows could be an issue. Adding improvements to their plant are planned. Mayor Faas emphasized engineer costs could be substantial. Mayor Faas mentioned that past reports could indicate the best route and Elk Run has done a lot of the preliminary work with flows already. Mayor Swope felt Bass and Wilson should keep their meeting with Aeromod option. City Attorney Prendergast noted the City of Fairbanks Aeromod plant is almost completed and suggested council go take a tour.

Heth/Smock motion to approve the reappointment of Shelley Wach to the Planning and Zoning Commission. Ayes – 5. Motion carried.

Bass/Heth motion to approve the appointment of Dean Heideman to the Board of Adjustment to fill the unexpired term of Tim Ratchford. Ayes – 5. Motion carried.

Bass/Smock motion to approve the appointment of Rick Heth as Mayor Pro-tem. Ayes – 5. Motion carried.

During Old Business Smock questioned if Jami Eder's weekend/Holiday pay had been addressed. City Clerk Lundy will add this to next agenda for approval. Heth ask if the traffic light on Dubuque Road was still flashing. City Engineer Dryden replied yes, however it is not Elk Run Height's problem. The contractor will fix it.

During New Business Bass ask if the new truck has been ordered and is it red in color. Mayor Swope answered yes and yes.

Bass/Heth motion to adjourn at 8:35 p.m. Ayes – 5. Motion carried.

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Tim Swope, Sr., Mayor

ATTEST:

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Kristi Lundy, CMC, City Clerk