

City of Elk Run Heights  
Regular Council Meeting  
City Hall Council Chambers  
February 9, 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 – Ratchford, Heth, Wilson, Smock and Bass. Quorum present. Heth/Wilson motion to approve the February 9, 2016 Agenda. Ayes – 5. Motion carried.

Wilson/Smock motion to accept the Consent Agenda approving the January 12, 2016 regular council meeting minutes and the January 19, 2016 Budget meeting minutes, accept the City Clerk's Report, Investment Report, the Revenue and Expenditure Reports as of January 31, 2016 as presented, approve Resolution 2786 approving and authorizing the payment of city bills, approve Resolution 2787 authorizing the City Clerk to publish the Employee and Elected Officials wages for the calendar year 2015 as required by Iowa Code and approve Resolution 2788 authorizing the transfer of \$32,351.26 from the Water Depreciation Fund for the purchase of radio read water meters, \$9,308.56 from the Local Option Sales Tax to Debt Service for the Bond Issuance fees, \$108,171.47 from the Local Option Sales Tax to the Trailer Court Capital Project, \$17,569.71 from Road Use to the Dubuque Road Bridge Project and authorizing the clerk to make the transfers. Roll call: Ayes – 5. Motion carried.

During Public Input resident Al Cross, 434 Amber Lane, discussed the upcoming Elk Run Heights 65<sup>th</sup> anniversary celebration to be held at Mayor's Park on August 6, 2016. Al designed the logo for the t-shirts, sweatshirts and thermos that people can order. Volunteers will be needed. Anyone interested in sitting on the committee contact city hall. A flyer will be sent to all Elk Run Heights residents announcing the information.

Mayor Swope presented Eddis Winstead's wife Roberta and their family with a certificate for the fifty plus years of Ed's service to the city on behalf of himself, Mayor Wurtz, Mayor Henninger, city employees and city residents. Ed was the city's Chief of Police and the city's Building Inspector as well as a council member. Mayor Swope announced the renaming of council chambers to be the Eddis Winstead Council Chamber.

Former Mayor Bill Henninger expressed his admiration and gratitude of Ed Winstead. Ed always saw the good in people. Ed started the Junior Police Program and a soft ball program and was involved in many community projects over the years. Bill knew Ed to be a Godly man who practiced what he believed.

Brian Schoon from INRCOG gave the council a tentative scope of work and budget to update the city's Comprehensive Plan. Brian suggested a task force of the Mayor, residents, council members, Planning and Zoning Commission members be part of this group. Brian added INRCOG's billing for this had been discussed with Mayor Swope and City Clerk Lundy and would be monthly, the total not to exceed \$15,000.00. Task force meeting dates will be set, usually lasting hour/hour and a half about three in number. Then meet with Planning and Zoning Commission before taking the comp plan to city council for approval. Bass questioned if necessary. Brian replied changes in demographics, population, economics, trade activities and land use have changed over the years.

Smock/Ratchford motion to approve the MS4 NPDES Outreach Partnership goal with the city of Cedar Falls in the amount of \$286.05. Ayes – 5. Motion carried. Mike discussed the Plaza Drive Reconstruction Project concrete. Mike states there will be two more pay estimates to be paid to Croell & Subsidiary.

Heth/Wilson motion to approve Resolution 2789 authorizing Pay Estimate #4 dated February 2, 2016 as prepared by Ament Design, to Croell and Subsidiary in the amount of \$26,301.06 for the Plaza Drive Reconstruction Project. Roll call: Ayes – 5. Motion carried.

City Attorney Heather Prendergast reviewed the 28E Contract with the City of Evansdale for Police Protection, stating it was the same as with the Black Hawk County Sheriff's, only less expensive. Mayor Swope mentioned Evansdale's Chief of Police Jensen stopped by City Hall to discuss the agreement. Smock asked about any communication with the Black Hawk County Sheriff's Department. Mayor Swope stated he did not hear from Chief Thompson and feels his communication could have been better.

Ratchford/Wilson motion to approve Resolution 2790 approving the 28E Agreement Contract for Law Enforcement Services with the City of Evansdale for fiscal year 2016/2017 at a cost of \$31,618.80. Roll call: Ayes – Ratchford, Smock, Wilson, Heth. Nay – Bass. Motion carried.

Mayor Swope presented Ordinance 237 – an Ordinance amending Title 8 Health and Safety in the Code of Ordinances of the City of Elk Run Heights, Iowa, by amending Chapter 8.16 Abandoned and Junk Vehicles. Wilson/Ratchford motion to approve the 1<sup>st</sup> reading of Ordinance 237. Ayes – 5. Motion carried. Heth/Wilson motion to suspend the rules requiring the 2<sup>nd</sup> and 3<sup>rd</sup> reading and place on file final adoption of Ordinance 237. Ayes – 5. Motion carried. Ratchford/Smock motion to adopt Ordinance 237. Ayes – 5. Motion carried. Heth/Ratchford motion to post Ordinance 237 instead of publish as allowed per Chapter 1.16.020: Public posting in lieu of publication. Ayes – 5. Motion carried.

Mayor Swope presented Ordinance 238 – An Ordinance Amending Title 8 Health & Safety in the Code of Ordinances of the City of Elk Run Heights, Iowa, by amending Chapter 8.08 Nuisances. Smock/Ratchford motion to approve the 1<sup>st</sup> reading of Ordinance 238. Ayes – 5. Motion carried. Heth/Bass motion to suspend the rules requiring the 2<sup>nd</sup> and 3<sup>rd</sup> reading and place on file final adoption of Ordinance 238. Ayes – 5. Motion carried. Wilson/Bass motion to adopt Ordinance 238. Ayes – 5. Motion carried. Bass/Heth motion to post Ordinance 238 instead of publish as allowed per Chapter 1.16.020: Public posting in lieu of publication. Ayes – 5. Motion carried.

Council reviewed the Fiscal Year 2016/2017 proposed budget. Smock questioned council on plans for the city comprehensive plan. Consensus was to add the project to budget. Mayor Swope stated an estimate on generators has been difficult. Ratchford suggested getting generators for all three lift stations and maybe getting a discount. Ratchford questioned if the city could get by with a mobile portable unit. City Engineer Dryden pointed out that would not be beneficial should the city lose complete power. Mike Dryden puts the cost each at \$25,000.00 to \$30,000.00. Mayor Swope ask for direction. Ratchford requested Mayor Swope get several vendor prices. Bass mentioned the city has never lost power in all the years he has lived here. Bass felt water-flooding more of a problem. Mayor Swope will continue pursuit of bids for the project. City Attorney Prendergast felt the expense of not

purchasing the generators would far outweigh purchase price. Mayor Swope discussed the cost of repairs to the shoulders of Lafayette Road. Bass opposes the project. Smock prefers the complete street be done. Mayor Swope will obtain quotes. City Clerk Lundy needs a decision for the Budget. Mayor Swope discussed plans for a bike trail. City Clerk Lundy mentioned the Plaza Drive reconstruction project bond payment is due in December of 2016 and the majority of Northeast Industrial Access Study payment will be due in the next fiscal year.

Smock/Heth motion to set the Public Hearing for the Fiscal year 2016/2017 Budget to be held March 8, 2016. Ayes – 5. Motion carried.

During the review of the personnel policy City Clerk Lundy ask for clarification on Paid Time Off. Smock will address this and send corrected copy to City Clerk Lundy.

Mayor Swope updated the council on the Waste Water Treatment Plant meeting on February 4<sup>th</sup> with Raymond Mayor Johnson, Evansdale Mayor Faas, Consultant Bob Dieter and MSA Engineers. He states the meeting was very informative and it was determined the city is in a good position. Discussion was held on the new DNR requirements. Evansdale engineer will do further investigation on the possibility of connecting to their sewer plant.

Mayor Swope gave his monthly report explaining the confusion of how many water samples should have been taken following the August water violation. City Clerk Lundy noted we have been notified by the DNR and another letter will need to be sent to residents and added in combination with this letter will include information on the 65<sup>th</sup> anniversary celebration. City Clerk Lundy reported that Emily O'Connell, the city's real estate agent for Elk Ridge Estates, has two possible buyers with conditions. City Attorney Prendergast stated the Covenant for Elk Ridge Estates would have to be amended to allow these changes or we would be in violation. Council will agree to one of these changes and offer a compromise on the other. City Clerk Lundy will contract Emily.

During new business a special meeting date for the FY 2016/2017 Budget review and to set the date of public hearing for the possible sale of city property was set for Monday February 15<sup>th</sup> at 6:00 p.m.

Smock/Ratchford motion to adjourn at 8:40 p.m. Ayes – 5. Motion carried.

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Tim Swope, Sr., Mayor

ATTEST:

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Kristi Lundy, CMC, City Clerk