

Agenda  
City of Elk Run Heights  
Eddis Winstead Council Chambers  
Elk Run Heights City Hall  
March 13, 2018 – 7:00 p.m.

Mayor Swope called the meeting to order at 7:03 pm. All present recited the pledge of Allegiance. Roll call of Council Members: Present – Smock, Ratchford, Bass, Wilson and Schellhorn. Quorum present. Ratchford/Schellhorn motion to approve the March 13, 2018 Agenda. Ayes – 5. Motion carried.

Mayor Swope ask for a motion to pull #11 from the Agenda as this will be discussed at the April regular council meeting. Ratchford/Schellhorn motion to pull the number 11 discussion of the James Street Lift Station fence from the Agenda. Ayes – 5. Motion carried.

Smock questioned a training bill for an employee when she was under the assumption that the employee was told no further training. Mayor Swope responded yes he has been told.

Ratchford/Wilson motion to accept the Consent Agenda, approving the February 13, 2018 regular meeting minutes, the February 15, 2018 Special Sewer Committee Meeting minutes, accept the City Clerk's Report, Investment Report, the Revenue and Expenditure Reports as of February 28, 2018 as presented, the General Ledger Expense/History Report, the Budget by Function Report, the Treasurer Report, approve Resolution 2886 approving and authorizing the payment of City bills, approve Resolution 2887 authorizing the Mayor to enter into a 28E Agreement for a fire protection contract with the City of Waterloo for fiscal year 2018/2019, approve renewal of the liquor license for Casey's General Store, approve the February Building Inspector's Report. Roll call: Ayes – 5. Motion carried.

During Public Input Lee Schutte spoke regarding property on Marie Street, he received a letter from the City regarding parking in the front yard, which Schutte planned to fill holes with more gravel. Smock questioned if gravel now would he have to make hard surface. Schutte noted there are lots of gravel driveways in the City. Ratchford thought existing gravel driveways were okay. Mayor Swope clarified just no gravel in front yards. Wilson/Ratchford thought gravel driveways were grandfathered in. City clerk Lundy stated no, they did not put that in the ordinance. Smock agreed with Mayor Swope specifically no front yard gravel. City Attorney David Hosack stated the city ordinance states two parking spaces per household. Ratchford commented it is up to the council if new gravel can be put down or not. Schutte planned eventually to take down a tree then pave his driveway. Mayor Swope assured him no action can be taken now, as has to be on the Agenda. Ratchford ask if Schutte could gravel for now. Schellhorn suggested giving residents time to do hard surface driveways. Smock stated all driveways going forward must be hard surfaced. Attorney Hosack stated that is in the ordinance. Bass ask if for now residents can fill gravel driveway holes with gravel. Attorney Hosack replied yes to maintain their driveways.

City Engineer Mike Dryden discussed the City's right-of-way stating the City's Ordinance issued had no permit fee in place and a resolution was needed to establishing what the project is, conditions and if put back correctly and a fee of \$100.00. Ratchford questioned who inspects this. Mike replied the City's Building Inspector. Ratchford questioned if this needs to be made public. Mike replied yes. Mike and council discussed whether home owners would need this permit. City clerk Lundy questioned if needed for new home. Mike replied this would most likely only be contractors or utility companies. Mike added inspections are needed to check if back filled properly so it does not cause street failure. Mike stated permit only if home owner had a failure of services. Ratchford questioned if building permit with a culvert involved need this permit. Mike replied yes, the permit is required mostly for excavators or anyone digging in the city right-of=way so we know what is there.

Wilson/Ratchford motion to approve Resolution 2888 approving a permit for excavation within the public right-of-way of the City of Elk Run Heights, Iowa, establishing the cost of this permit is \$100.00 per application, also establishing if re-inspection of the excavation is required an additional fee of 50% of the original application fee is required, the City clerk is hereby directed to develop this application permit form that complies with Ordinance 12.8 and this resolution. Roll call: Ayes – 5. Motion carried.

Mike stated the STBG application date (Gilbertville/Lafayette Road Reconstruction Project) will be submitted on Friday. Mike ask council if they wanted to remove the 4-way and 3-way STOP signs. Wilson/Ratchford did not want STOP signs removed. Mike noted may take out STOP signs before project and then put back. Mike will leave funding as 80/20.

Mike needs a motion officially made by council endorsement to allow him to sign for the Transportation Improvement Program (TIP) by Thursday for the sidewalks. Mike commented may get sidewalk from one or the other Program, could even assess to residents, but sidewalks are in project. Smock/Wilson motion to approve Mike to sign on behalf of the city. Ayes – 5. Motion carried. Ratchford/Smock motion to approve the Project Endorsement for the reconstruction of Gilbertville/Lafayette Roads within the City of Elk Run Heights, Iowa. Ayes – 5. Motion carried.

Mike discussed his and Mayor Swope's meeting with Road Ranger regarding the Gilbertville Water Main Project, stating they were not thrilled with the 100% cost but open to a smaller percentage. Mayor Swope feels this would someday allow hookup with Raymar. Ratchford ask if had percent. Mayor Swope replied not yet. Mayor Swope stated his suggested percentages for both Road Ranger and Jamie Mether. Ratchford felt extension to Raymar now then someday may recoup cost. Mayor Swope wants to make sure what the City pays for water the City gets back for water. Bass felt the next person would want this deal. Attorney Hosack did not feel this would set precedence. Bass also noted Douglass Road residents paid for theirs. Smock questioned if Mayor Swope had made the offer. Mayor Swope stated no. Wilson/Schellhorn thought Mayor Swope should make the offer.

City Attorney David Hosack updated the council on the nuisance properties within the City. City clerk Lundy noted one of the properties is being put up for sale now. Attorney Hosack stated he is trying to view properties Kristi is making him aware of. Attorney Hosack felt some nuisances the City can fix with municipal infractions. Ratchford suggested fixing these and assessing these to the properties.

Smock stated after going over the quotes she felt the Chevrolet was the better deal. Schellhorn thought the lower priced one best allowing money for the purchase of light bars and the extra necessary items. Mayor Swope noted the light bars and flashing lights would run about \$800.00. Ratchford was in favor of the Ford. Wilson stated he had no preference but felt money could be saved by going with the Chevrolet. Resident questioned why only Rydell for bids. Mayor Swope replied convenient for warrantee. Police Chief Jensen questioned if it was State bid. Mayor Swope replied yes. Resident Gene Edler, 424 Gilbertville Road, felt the lower cost best. Schellhorn/Wilson motion to approve Resolution 2889 authorizing the purchase of the new Sewer Department pickup truck – a 2018 Chevrolet Silverado 1500, approving the bid from Rydell Chevrolet at a cost of \$27, 697.20. Roll calls: Ayes – Schellhorn, Wilson and Smock. Nays – Ratchford/Bass. Motion carried. Resident Al Cross, 434 Amber Lane, felt Smock should not have a vote in this. Smock stated she would have no financial gain from this. Ratchford agreed, stating she lives here and is a taxpayer here.

Schellhorn/Smock motion to approve with corrections Resolution 2890 approving the Elk Run Third Addition Restrictive Covenants, which by definition are the same as the Elk Ridge Estates Covenants with the exception of name and setbacks being 25 feet, zoned R2. Roll call: Ayes – 5. Motion carried.

Smock/Wilson motion to open the Public Hearing for the Fiscal Year 2018/2019 Budget at 8:30 p.m. Ayes – 5. Motion carried. City clerk Lundy noted proof of publication was on file and there were no written comments. There were no vocal comments. Ratchford/Schellhorn motion to close the Public Hearing at 8:31 p.m. Ayes – 5. Motion carried.

Wilson/Ratchford motion to approve Resolution 2891 adopting the Fiscal Year 2018/2019 Budget and authorizing the City clerk to certify the budget with the County Auditor and the Department of Management. Roll call: Ayes – 5. Motion carried.

Bass/Ratchford motion to approve Resolution 2892 setting the Public Hearing for the sale of lot located at 5301 Lafayette Road to be held April 12, 2018 at 5:00 p.m. at City Hall. Ayes – 5. Motion carried.

Ratchford/Smock motion to approve the Municipal Pipe Tool quote to televise the inspection of sanitary sewer lines at a cost of \$5,832.00. Ayes – 5. Motion carried.

Council discussed residents keeping chickens in their back yards. Mayor Swope ask the neighboring property owner if he had objections and was told emphatically yes. Schellhorn had the same thought also citing the new covenants. City clerk Lundy read the Ordinance concerning this, adding she will add a foul section to all covenants making them the same. Smock requests this be put on the next month's Agenda. Mayor Swope questioned council if agreed no chickens, council agreed.

Mayor Swope gave his monthly report stating he has a trouble spot in the City and may be asking for the council's help.

During new business Smock questioned if the recommendations from the Iowa Communities Assurance Pool review were being addressed and if a Northeast Iowa Bypass meeting would be held and where. Mayor Swope explained several of the ICAP recommendations had already been addressed and the rest will follow. Mayor Swope added the bypass meeting will be eventually held here at City Hall. Schellhorn mentioned the drainage under the Sutton Avenue culvert is filled with sand and debris, as is many of the City's culverts. Mayor Swope will take care of this as soon as weather permits.

Ratchford/Schellhorn motion to adjourn at 8:50 p.m. Ayes – 5. Motion carried.

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Tim Swope, Sr., Mayor

ATTEST:

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Kristi Lundy, CMC, City Clerk