

Agenda
City of Elk Run Heights
Regular Council Meeting
Eddis Winstead Council Chambers
April 9, 2019 - 7:00 p.m.

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Approval of the April 9, 2019 Agenda
5. Approval of Consent Agenda - All items listed on the consent agenda will be enacted by one motion. *There will be no separate discussion unless a request is made prior to the time the council votes on the motion.*
 - a. Approve the March 7, 2019 regular meeting minutes and March 12, 2019 special meeting minutes
6. Public Input
Notice to Public: The Mayor pro tem and City Council welcome comments from the public during discussion. You are required to state your name and address for the record and to limit the time used to no more than five minutes to present your remarks in order that others may be given the opportunity to speak. The Order of Business is at the discretion of the Mayor.
7. Resolution 2942 approving and authorizing the payment of city bills
8. Bid Opening: Gilbertville Road Water Main Improvements from Plaza Drive to Young Road Project
9. Resolution 2943 awarding contract for the Gilbertville Road Water Main Improvements from Plaza Drive to Young Road Project to _____ in the amount of \$ _____
10. Request from Mayor Pro-tem to replace the Mobotrex traffic light cabinet at the corner of Dubuque Rd. and Elk Run Rd. in the amount of \$13,713 with the City of Waterloo
11. Resolution 2944 approving Lease Agreement with the City of Evansdale for land abutting Mayor's Park in Elk Run Heights for the purpose of developing the property for disc golf
12. Mayor's Report
13. Old Business
14. New Business
15. Adjournment

City of Elk Run Heights
Regular Council Meeting
Eddis Winstead Council Chambers
March 7, 2019 – 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: Wilson, Bass, Schellhorn, Smock, and Ratchford. Quorum present. Ratchford/Schellhorn motion to approve the March 7, 2019 agenda. Ayes–5. Motion carried.

Wilson/Smock to approve the following items on the Consent Agenda: a. Approve the January 22, 2019 special meeting minutes, February 4, 2019 special meeting minutes, and February 12, 2019 minutes. b. Resolution 2938 approving and authorizing the payment of city bills as amended by voiding check issued to Waterloo Fire Rescue as it's paid quarterly instead of monthly and showing the allocation of the Elan credit card receipts to include not only the jacket but the fuel and other expenses. Roll call: Ayes–5.

Public Input: Emily O'Connell with Remax realtors updated the city regarding lots for sale in the Elk Run Heights-Evansdale area and homes that are listed between \$130,000-\$160,000 were in demand as there aren't many for sale. The economy is good, and homes are selling quickly once placed on the market.

Discussion: Black Hawk County Engineers office – Elk Run Road Paving Project. Cathy Nicholas, Black Hawk County Engineer discussed the overlay of Elk Run Road from Elk Run Heights city limits to Independence Ave. She stated that they would like to continue through from the south side of the bridge to Dubuque Rd., but the city of Elk Run Heights would be responsible for that portion with costs estimating around \$68,000. She also stated that construction wouldn't begin until August 2020 and would return to council for a formal approval.

Ratchford/Smock to open the public hearing at 6:26 p.m. Ayes-5. Motion carried. Gilbertville Road Water Main Improvement Project. City Engineer Dryden stated that they had the temporary easements from Road Ranger signed and noted that no change in plans, but that they would hold the bid letting on the 9th of April and approve the bid that evening. Ratchford/Bass to close the public hearing at 6:28 p.m. Ayes-5. Motion carried.

Wilson/Schellhorn to approve Resolution 2939 approving the proposed plans, specifications, form of contract, and estimated cost for the construction of the Gilbertville Road Water Main Improvement Project from Plaza Drive to Young Road. Roll call vote: Ayes-5.

Ratchford/Schellhorn to open the public hearing for FY2020 Budget at 6:30 p.m. Ayes-5. Motion carried. Mayor Swope stated that there were no changes in the discussed budget. Ratchford/Schellhorn to close the public hearing at 6:31 p.m. Ayes-5. Motion carried.

Wilson/Smock to approve Resolution 2940 approving FY2020 Budget. Roll call vote: Ayes-5.

Ratchford/Bass to approve Resolution 2941 approving the return of awarded TAP funds to INRCOG to be re-programmed for other Projects. Councilor Smock stated that she had explained the returning of TAP funds. City Engineer Dryden discussed the reason for returning the TAP funds and how it would benefit the city and future costs. Roll call vote: Ayes-5.

Ratchford/Smock to approve Resolution 2942 approving project endorsement for the improvement of mayor's park. Engineer Dryden stated how the TAP funds could be utilized for the trail throughout Mayors Park. Councilor Bass questioned the city's share in the project. Councilor Smock responded that we would be asking for the same funds as we did for the sidewalk project and utilizing grants to keep costs low. Roll call vote: Ayes-5.

Mayors Report: Mark Brown passed away and the visitation is on the 8th with funeral on the 9th. He also stated that several improvements would be made to the property located at 110 Elk Run Street. Emily with Remax stated that the city would be very happy with the work Marks Property is doing in the city.

Ratchford/Wilson motion to adjourn at 7:45 p.m. Ayes-5. Motion carried.

Attest:

Tim Swope, Sr., Mayor

DeAnne Kobliska, Interim City Clerk

City of Elk Run Heights
Special Council Meeting
Eddis Winstead Council Chambers
March 12, 2019 – 6:00 p.m.

Mayor Swope called the meeting to order at 6:00 pm. All present recited the pledge of Allegiance. Roll call of Council Members: Present – Bass, Schellhorn, Smock, Ratchford, and Wilson. Quorum present. Ratchford/Schellhorn motion to approve the March 12, 2019 agenda. Ayes–5. Motion carried.

Ratchford/Bass motion council to enter closed session at 6:03 p.m. pursuant to Chapter 21.5 (1) (c) of the Iowa code: To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes-5. Motion carried. Ratchford/Wilson motion to return to regular session at 6:45 p.m. Roll call vote: Ayes-5.

Ratchford/Bass to table taking action on an employment matter. Ayes-Five. Motion carried.

Ratchford/Bass motion to adjourn at 6:47 p.m. Ayes–5. Motion carried.

Tim Swope, Sr., Mayor

DeAnne Kobliska, Interim City Clerk
(not present, minutes taken from recording)

RESOLUTION 2942

4760	ABC EMBROIDERY	UNIFORM PATCH	9.00
4761	ACTUALLY CARPETS	CARPET CLEANING/PROTECTANT	220.50
4762	AHTS ARCHITECTS	MAYOR'S PARK DESIGN	4,100.00
4763	AIRGAS	WELDING SUPPLIES	98.62
4792	AMENT, INC	PARK TAP UPGRADES	2,952.90
4793	AMERIGAS PROPANE LP	PROPANE TANK RENTAL	113.00
4764	ASPRO	COLD MIX	2,754.28
4765	BEN & MELANIE RASANEN	MAIL BOX REPLACEMENT	62.91
4766	BLACK HAWK ELECTRICAL	SR MOTOR BREAKER/STARTER	1,577.00
4767	BMC	SAND	655.42
4768	CASEY'S GENERAL	FUEL	126.05
4769	COURIER	3/7 MINUTES/BILLS	75.68
4794	COURIER	3/12 MINUTES	15.23
4795	WATERLOO WATER WORKS	DOUGLAS RD QRTLTY PMT	58.35
4796	ELAN CARDMEMBER SRV	SR-OFFICE SUPPLIES	650.07
4770	ELECTRIC PUMP	VISION 570 PLC FOR FLOW METEI	3,095.00
4771	FRICKSON BROS EXCAVATING	REPAIR BRKN WATER MAIN MCC	1,403.53
4772	gWorks	SOFTWARE SUPPORT	237.50
4797	gWorks	SOFTWARE SUPPORT	166.25
4773	INRCOG	NE IA CORRIDOR STUDY	594.48
4774	KEYSTONE LABS	FEB 19 TESTING	760.00
4798	MENARDS	SHOP SUPPLIES	124.91
4775	MID AMERICAN ENERGY	MARCH UTILITIES	3,021.79
4776	MUNICIPAL PIPE TOOL	JETLINE JACKIE AVE	260.00
4777	MUNICIPAL SUPPLY	ANNUAL SUPPPORT	2,150.00
4799	P & K MIDWEST	SNOW BLOWER DRIVE SHAFT	565.00
4778	PAT REIMAN	MILEAGE/CELL RMBRSMNT	186.74
4787	POSTMASTER	UTILITY BILLING POSTAGE	164.85
4779	RATCHFORD AUTO DETAIL	LOF 2016 CHEVY	50.00
4780	RICOH USA INC	COPIER CONTRACT	15.73
4800	RICOH USA INC	COPIER CONTRACT	64.93
4781	RITE PRICE OFFICE SUPPLY INC	OFFICE PLANNERS	34.80
4801	ROBERTS STEVENS PRENDERGAST	ATTORNEY FEES	2,125.00
4782	TEDS HOME & HARDWARE	CITY HALL SUPPLIES	7.26
4783	TIM SWOPE	RMBRSE CELL PHONE	40.00
4784	THOMAS JAMES	RMBRSE CELL PHONE	40.00
4802	WASTE MANAGEMENT	GARBAGE COLLECTION	5,230.82
4785	WATERLOO WATER WORKS	MONTHLY WATER BILL	4,578.06
4786	WELLMARK BC/BS	HEALTH INSURANCE	1,061.58
		001-GENERAL FUND	10,369.24
		110-ROAD USE	7,002.08

600-WATER	8,805.18
610-SEWER	8,039.93
670-LANDFILL/GARBAGE	5,230.82
TOTAL	39,447.25

PREPAYS

4725	ELAN CARD SRV	IA WATER ENVIRONMENT	165.00
		LIFT STN DIALER	70.00
		FUEL	120.05
4726	HOME DEPOT	SHOP LIGHTS	414.82
4727	TREASURER-ST OF IA	4TH QTR SALES TAX	1,997.94
4728	STAPLES	CALCULATOR	74.99
4729	WASTE MGMT	LANDFILL/GARBAGE	5,229.87
4742	KEYSTONE LABS	WATER TEST	25.00
4743	MEDIACOM	PHONE SERVICE	87.61
4744	MIDAMERICAN ENERGY	REPAIR UTILITY POLE	1,462.03
4745	RAMSEY TRUCK & AUTO REPAIR	TRANY REPLACEMENT-FORD	3,555.92
4746	TREASURER-ST OF IA	INTERST/PENALTY	107.17
		TOTAL	13,310.40

1ST QTR PAYROLL

PAYROLL	55,998.82
EFTPS	11,383.03
IPERS	7,948.81
STATE WITHHOLDING	2,027.00
LIFE INSURANCE	159.88
TOTAL	77,517.54

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ELK RUN HEIGHTS, IOWA
ON THIS 9TH DAY OF APRIL 2019

ATTEST:

Tim Ratchford, Mayor Pro tem

DeAnne Kobliska, Interim City Clerk

RESOLUTION 2943

RESOLUTION AWARDING CONTRACT FOR THE GILBERTVILLE ROAD WATER MAIN IMPROVEMENTS FROM PLAZA DRIVE TO YOUNG ROAD PROJECT IN THE CITY OF ELK RUN HEIGHTS, IOWA

WHEREAS, the City Council has received bids for the above referenced project.

NOW, THEREFORE, The City Council, Elk Run Heights, Iowa RESOLVE IT, as follows:

Section 1. That the contract for the Gilbertville Road Water Main Improvements from Plaza Drive to Young Road Project be awarded to contractor _____ in the amount of \$_____

Section 2. That the Engineer is hereby directed to prepare the appropriate Award notification in accordance with this Resolution and issue this document to the Contractor.

Passed and adopted this 9th day of April 2019.

City of Elk Run Heights, Iowa

Tim Swope, Sr., Mayor

Attest:

DeAnne Kobliska, Interim City Clerk



CITY OF WATERLOO, IOWA

PUBLIC WORKS DIVISION

625 Glenwood Street • Waterloo, IA 50703 • (319) 291-4267 Fax (319) 291-3825

April 4, 2019

City of Elk Run Heights
Attn: Mayor Tim Swope
5042 Lafayette Road
Elk Run Heights, Iowa 50707

**RE: ACCIDENT ON DUBUQUE RD. & ELK RUN RD. TRAFFIC CABINET
KNOCKDOWN**

Dear Mayor Swope,

This is a quote on the above to replace equipment.

Mobotrex cabinet TC-19912	\$10,213.00
Labor & Equipment, (not to exceed)	<u>\$ 3,500.00</u>
TOTAL:	\$13,713.00

Let me know if you have questions or concerns. I'd be more than happy to address them.

Sincerely,

Matt Vlasak
Signal Foreman
P: 319.291.4440
F: 319.232.0264
M.Vlasak@waterloo-ia.org

CITY WEBSITE: www.cityofwaterlooiowa.com

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RESOLUTION 2944

**RESOLUTION OF THE CITY OF ELK RUN HEIGHTS, IOWA
AUTHORIZING THE MAYOR TO SIGN A LEASE AGREEMENT WITH
THE CITY OF EVANSDALE FOR THE PORTION OF LAND OWNED
BY EVANSDALE ABUTTING MAYOR'S PARK**

WHEREAS, the Council of the City Elk Run Heights desires to enter into a lease agreement with the City of Evansdale for the portion of land owned by Evansdale that is abutting Mayor's Park to develop the Property for a disc golf course, and;

WHEREAS, each city owns a portion of the land along Elk Run Creek, and;

WHEREAS, the City of Elk Run Heights is interested in taking full responsibility for the repair and maintenance of the land throughout said lease agreement, and;

WHEREAS, the parties agree as follows:

Per Attached Agreement

THEREFORE, the City of Elk Run Heights, Iowa, does agree to pay the City of Evansdale, Iowa, one-dollar (\$1.00) per fiscal year commencing on _____ 2019 and ending on _____ 2029.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Elk Run Heights, Iowa, that the Mayor and Interim City Clerk are hereby authorized to sign the attached lease.

PASSED AND APPROVED this 9th day of April 2019

Tim Ratchford, Mayor Pro tem

ATTEST:

DeAnne Kobliska, Interim City Clerk

LEASE

THIS LEASE is made and entered into this ___ day of _____, 2019, by and between the City of Evansdale, Iowa (“Evansdale”), and the City of Elk Run Heights, Iowa (“Elk Run Heights”).

RECITALS

WHEREAS Evansdale owns land abutting Mayor’s Park in Elk Run Heights;

WHEREAS the land owned by Evansdale is primarily unmaintained timber on the east side of Elk Run Creek, with Parcel ID numbers 8912-33-451-004, 8912-33-376-009, and 8812-05-176-003;

WHEREAS Elk Run Heights desires to develop the Property for a disc golf course.

THEREFORE the parties agree as follows:

1. PROPERTY AND TERM. Evansdale leases to Elk Run Heights the land owned by Evansdale on the east side of Elk Run Creek, with Parcel ID numbers 8912-33-451-004, 8912-33-376-009, and 8812-05-176-003 (collectively “the Property”), for a term beginning on _____, 2019, and ending on _____, 2029, upon the condition that Elk Run Heights performs as provided in this Lease.

2. RENT. Elk Run Heights agrees to pay Evansdale as rent \$1 per year for the Property, commencing on _____, 2019, and continuing on the same date annually thereafter. All rent shall be paid at 123 N. Evans Rd., Evansdale, IA 50707, or at such other place as Evansdale may designate in writing.

3. CARE AND MAINTENANCE. Elk Run Heights takes the Property as is and is solely responsible for all repair and maintenance throughout the term of this Lease. Elk Run Heights shall maintain the Property in a reasonably safe, presentable condition, and shall, at its own expense, make all repairs, replacements and improvements to the Property. Evansdale consents to Elk Run Heights installing disc golf targets necessary to utilize the Property as a disc golf course. Elk Run Heights shall make no additional changes or alterations to the Property without the prior written consent of Evansdale.

4. UTILITIES AND SERVICES. Elk Run Heights shall pay for all utilities and services which may be used on the premises.

5. SURRENDER. Upon the termination of this Lease, Elk Run Heights will surrender the Property to Evansdale in good and clean condition, except for ordinary wear and tear or damage without fault or liability of Elk Run Heights.

6. ASSIGNMENT AND SUBLETTING. No assignment or subletting, either voluntary or by operation of law, shall be effective without the prior written consent of Evansdale.

7. INDEMNITY. Elk Run Heights will protect, defend, and fully indemnify

Evansdale and its employees, agents, council members, and their successors and assigns from and against any and all loss, costs, damage and expenses occasioned by, or arising out of, any accident or other occurrence causing or inflicting injury or damage to any person or property, happening or done in, upon or about the Property, or due directly or indirectly to its use.

8. **SEVERABILITY.** If any provision of this Lease is determined to be invalid, illegal or unenforceable, the remaining provisions of this Lease remain in full force and effect so long as the essential terms and conditions of this Lease reflect the original intent of the parties and remain valid, legal and enforceable.

9. **ENTIRE AGREEMENT.** This Lease constitutes the complete and exclusive statement of the agreement between the parties and supersedes all prior oral or written proposals, prior agreements and other prior communications between the parties, concerning the subject matter of this Lease. No amendment, waiver or modification of this Lease is binding unless it is in a writing that explicitly references this Lease and is signed by authorized representatives of both parties

THE ABOVE LEASE is hereby entered into by the following authorized agents of the parties.

CITY OF EVANSDALE, IOWA

By: _____
Doug Faas, Mayor

ATTEST:

City Clerk

CITY OF ELK RUN HEIGHTS, IOWA

By: _____
Tim Swope, Mayor

ATTEST:

City Clerk