

City of Elk Run Heights  
Regular Council Meeting  
City Hall Council Chambers  
April 14, 2015 - 7:00 p. m.

Mayor Swope called the meeting to order at 7:00 p.m. All present recited the pledge of Allegiance. Roll call of Council Members: Present – Heth, Smock, Bass and Heideman. Absent - Wilson. Quorum present. Heth/Smock motion to approve the amended April 14, 2015 Agenda. Ayes – 4. Motion carried.

Smock/Bass motion to accept the Consent Agenda removing Resolution 2738. Items approved are the March 10, 2015 regular council meeting minutes, accept the City Clerk's Reports, Investment Report, the Revenue and Expenditure Reports as of March 31, 2015 as presented, approve Resolution 2739 approving the 28E agreement with the City of Waterloo to provide Fire Protection for Fiscal Year 2015/2016. Ayes – 4. Motion carried.

Bass/Heth motion to approve Resolution 2738 authorizing the payment of city bills. Bass questioned the bill for Evansdale Truck & Trailer, LLC for an alternator and brake line. Mayor Swope replied this was for repairs for the blue dump truck. Bass also questioned the mileage reimbursement to Mark Christianson. Mayor Swope replied this was for Waste Water classes Mark Christian took. Mark needs the classes to keep his license current. Ayes – 4. Motion carried.

Mayor Swope opened the Public Input. Resident Don Wurtz, 224 Marie Avenue, requested an explanation of Ordinance 233. City Clerk Kristi Lundy stated this is for the rezoning of 1701 Douglass Road and is on the agenda to be discussed.

Mayor Swope introduced Maureen Beckman. Maureen currently takes an extended nursing course at Upper Iowa University. As part of this course she provides High Blood Pressure presentations to the community. Several in attendance expressed their appreciation of the presentation.

Discussion was held on Rod and Dona Frickson's development of the Raymond Road land. Mayor Swope felt there is not enough land to be profitable to a developer unless the city helps. Bass thinks with nine lots there is plenty of land for single family homes. Mayor Swope commented the city will get money back through TIF. He needs a direction from council at this time. Resident Al Cross, 434 Amber Lane, states cities are giving lots away including some infrastructure and this land may require a forced sewer main. Al added the Sunrise/Sunset addition was developed by the Fricksons. Al thinks the city should help the developers. Heth agreed the city may need to help with the left station. Attorney Prendergast stated the city needs to get started on this. Smock is not comfortable discussing this in a public setting but would be happy to look at bid and see if it is profitable. Mike Dryden explained knowing the size and value of these homes is important. Mike thinks ten lots would be the most cost effective and generally infrastructure is the contractor's responsibility. Mike suggested that city specified items be paid for by the city. Mike does not think the city should commit to anything initially. Bass stated if the city is doing the infrastructure it may as well develop it. Mike mentioned putting in water and sewer would cost about \$60.00 a foot and streets about \$350.00 a foot. Mayor Swope will get back to the Fricksons.

City Engineer Mike Dryden reported the final plan for the Plaza Drive Reconstruction Project will go to the DOT next Tuesday, the only changes being traffic control due to other road construction in the area.

Mike stated July 21, 2015 is the letting date. Mike explained the new Erosion & Sediment Control Contractor Update Brochure, which is replacing the usual seminar. This is part of the city's NPDES Permit which the city is required to participate in. This brochure is prepared by Cedar Valley Storm Water Education Partnership. Elk Run Height's financial involvement is \$40.00. Mayor Swope mentioned Paines RV is concerned about signage during the Plaza Drive Project. Mike will address their concerns.

City Attorney Heather Prendergast updated the council on the legal proceedings regarding the former Raymond Road Trailer Court. Attorney Prendergast expects the trial date to be in 2016, late winter or early spring. There has been no offer of settlement.

Mayor Swope opened the Public Hearing for the Rezoning of 1701 Douglass Road from A-Agriculture to R-1 Residential at 7:39 p.m. Proof of publication was on file and no written comments were received. There were no oral comments. Heth/Smock motion to close the Public Hearing at 7:41 p.m. Ayes – 4. Motion carried.

Mayor Swope presented Ordinance 233 – An ordinance Amending Chapter 17.12 of the Zoning Ordinance.

Heth/Smock motion to approve the 1<sup>st</sup> reading of Ordinance 233 amending Chapter 17.12 city zoning map. Ayes – 4. Motion carried.

Bass/Heideman 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 233. Ayes -4. Motion carried.

Bass/Heth motion to adopt Ordinance 233. Ayes – 4. Motion carried.

Baas/Heth motion to post Ordinance 233 instead of publish as allowed per Chapter 1.16.020: Public posting in lieu of publication. Ayes – 4. Motion carried.

Bass/Heideman motion to approve Resolution 2740 approving the minor subdivision for 1701 Douglass Road. Roll call: Ayes - 4. Motion carried.

Smock/Heideman motion to approve Resolution 2741 approving an Engagement Agreement with Ahlers and Cooney, P.C. to provide bonding services for the General Obligation loan. Roll call: Ayes – 4. Motion carried.

Heideman/Bass motion to approve Resolution 2742 entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF ELK RUN HEIGHTS, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Roll call: Ayes – 4. Motion carried.

Bass/Smock motion to approve Resolution 2743 entitled "RESOLUTION APPROVING POST-ISSUANCE COMPLIANCE POLICY". Roll call: Ayes – 4. Motion carried.

Bass/Heth motion to set the public hearing for the budget amendment to be held May 12, 2015. Ayes – 4. Motion carried. City Clerk Lundy explained the budget amendment: increase in Public Safety due to increase in wages for the Building Inspector, increase in Public Works due to a contract with INRCOG to complete a road study, increase in Capital Projects due to the Plaza Drive Reconstruction Project and fees associated with the Trailer Court.

Mayor Swope spoke to Evansdale Mayor Doug Faas regarding the 2015 Dubuque Road Bridge Repair Project. Mayor Faas stated the project was awarded to PCI, beginning this summer and will last one month. Mayor Swope presented the Bid Tabulation for the Project, Project N#: 2014(813) Local, Eastbound Lanes. City Clerk Lundy explained the total cost is \$233,227.27, 18.5% of this cost equaling \$43,147.04 is Elk Run's responsibility. Mayor Swope added traffic will be routed to Lafayette Road.

Mayor Swope appointed Smock as Temporary Mayor Pro-tem while Heth is unavailable for a short time. Bass/Heideman motion to approve Lisa Smock as Mayor Pro-tem. Ayes – 4. Motion carried.

The Proclamation of Municipal Clerk's Week of May 3<sup>rd</sup> thru May 9<sup>th</sup> 2015 was so proclaimed by Mayor Swope.

The Arbor Day Proclamation declaring April 24, 2015 as Arbor Day was so proclaimed by Mayor Swope. Mayor Swope added he had enjoyed attending a tree planting ceremony at Elk Run Preschool today.

Mayor Swope gave his monthly report, stating he had spoken with resident Lori Wurtz, 5335 Lafayette Road, regarding the usage of a small portion of city land for a Monarch butterfly habitat. Mayor Swope would like to convert an area of Mayors Park for this purpose by creating prairie grasses. Mayor Swope added there are grants available for this. Smock would like to see the proposed park area before a decision is made. City Clerk Lundy mentioned Lori will be working with the IA State Extension office and UNI on this. City Clerk Lundy informed the council there is a Beautification Committee from Evansdale/Elk Run comprised of residents who plan to beautify the front of Elk Run's City Hall. These residents will present a plan and do the work and the city will reimburse them for the cost of the plants.

During old business City Clerk Lundy informed the council Tom and Jami will be filing potholes tomorrow.

During new business Bass mentioned the tree limbs and stumps in the trailer park need to be cleaned up. Mayor Swope replied he has told Tom. Bass questioned what Tom had been doing lately. Mayor Swope responded Tom has been working in the parks.

Smock/Heth motion to adjourn at 8:04 p.m. Ayes – 4. Motion carried.

ATTEST:

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Tim Swope, Sr., Mayor

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Kristi Lundy, CMC, City Clerk