

City of Elk Run Heights
Eddis Winstead Council Chambers
Elk Run Heights City Hall
May 8, 2018 – 7:00 p.m.

Mayor Tim Swope called the meeting to order at 7:00 pm. All present recited the pledge of Allegiance. Roll call of Council Members: Present – Wilson, Schellhorn, Smock and Ratchford. Quorum present. Bass arrived at 8:00 p.m. Ratchford/Wilson motion to approve the May 8, 2018 Agenda. Ayes - 4. Motion carried.

Ratchford/Schellhorn motion to accept the Consent Agenda, approving the April 10, 2018 regular meeting minutes, the April 12, 2018 special meeting minutes, accept the City Clerk's Report, Investment Report, the Revenue and Expenditure Reports as of April 30, 2018 as presented, the Budget by Function Report, the Treasurer Report, approve Resolution 2897 approving and authorizing the payment of City bills, approve Casey's General Store cigarette permit, approve the April Building Inspector's Report. Roll call: Ayes – 4. Motion carried.

During public input resident Ron Pint, 441 Amber Lane, stated his neighbors are seeing raccoons and what should they do. City clerk Lundy stated call the Police Department. Chief Jensen commented the department takes them out to the country but cannot respond to multiple raccoon calls. Ratchford commented on the number of golf carts in the City that are without tags and ask the public to remind these drivers to come to City Hall and get tags.

City Engineer Mike Dryden will set another meeting with Road Ranger to discuss the Gilbertville Water Main Project. Mike discussed the funding for the Gilbertville Road Reconstruction Project. Mike stated the City will be eligible for 1.2 million and \$200,000.00 of federal TAP Funds which are for Gilbertville Road sidewalks. Ratchford questioned the cost to reconstruct Gilbertville Road to the City. Mike replied 1 million. Ratchford thought the City could save for this. City clerk Lundy stated the City would bond for this. Mike suggested not taking the Federal TAP Funds, if one piece of project Federal, the whole project becomes Federal. Mike added then have to meet federal standards plus costs 25 % more. City clerk Lundy commented the project will be programed into the Metropolitan Planning Organization fiscal year 2022. Mayor Swope confirmed the Gilbertville Road overlay this year. Ron ask if Amber Lane also, Mayor Swope replied yes.

City Attorney David Hosack updated the council on the Elk Run Third Addition stating these two properties could be sold with an indemnity clause of 120 days on the original parcel.

During the Parking Ordinance discussion resident Ron Pint, 441 Amber Lane, questioned after papers served on resident to move a vehicle how long did they have to comply. Attorney David Hosack replied that would be in the papers. This resident was discussed at the last monthly meeting but not recorded in the minutes. City clerk Lundy and Ratchford stated a letter will be sent. Smock requested the resident be personally told the boat must be in the backyard. Mayor Swope will contact the resident.

Resident Bill Van Wey, 307 Shirley Avenue, stated he understood council concern over loose rock driveways and ask if reclaimed asphalt was a "similar surface" per the Parking Ordinance. Smock showed Bill a picture of reclaimed asphalt to confirm the way it looked. Resident Chad Frush, 104 Shirley Avenue, noted this looks like asphalt after run over or heated. Bill may put a sealer over it for a smooth surface. Schellhorn commented the end of Lafayette Road was done in reclaimed asphalt and now looks like black crushed rock. Mike felt asphalt cement would need to be added and rolled. Bill plans to let the area completely cure. Schellhorn has no problem with Bill's plans but felt the Ordinance is on the books and now the council is doing a case by case basis. Schellhorn continued, the phrase "similar surface" means what, add reclaimed asphalt or strike the "similar surface" from the Ordinance or stick to the Ordinance. Smock mentioned new neighborhoods have restrictions but many long term neighborhoods do not. Attorney Hosack felt "similar surface" should be defined. Ratchford ask if Bill could proceed. Mike noted it will not be a hard surface and ask if what the City was looking for is a dust free surface. Attorney Hosack thought a code zoning administrator could make the call then BOA if council disagrees. City clerk Lundy stated if allowed this needs to be in the Ordinance. Mayor Swope suggested writing a stricter Ordinance. Smock ask for Mikes opinion, Mike replied asphalt has to be added or it will be loose. Ratchford stated he has seen reclaimed asphalt that was rolled and looked good and suggested doing a four inch depth. Chad commented an older reclaimed asphalt parking lot he knows of was packed/rolled is still in good condition. City clerk Lundy ask council for a decision as to if they wanted to add reclaimed asphalt to the ordinance. Smock stated the Ordinance as is leaves decision up to City clerk Lundy. Resident Al Cross, 434 Amber Lane, stressed he has spoken to Bill and knows this will be a good surface. Ratchford ask council for their decision on reclaimed asphalt. Schellhorn stated no. Ratchford, Bass, Wilson and Smock stated yes. City clerk Lundy will put this on next month's Agenda.

Council reviewed Ordinance 253 – an Ordinance amending Chapter 6.04 Animal Control Regulations of the Code of Ordinances of the City of Elk Run Heights by not allowing farm animals or fowl in residential areas and limiting the number of pets per household to five. Council had concerns over the zoning within the City being agriculture and farm animals. Attorney Hosack advised council to approve only the 1st reading to allow possible changes to the Ordinance and to make it a where to the residents.

Ratchford/Wilson motion to approve the 1st reading of Ordinance 253. Ayes – 5. Motion carried.

Ratchford/Wilson motion to open the Budget Amendment Public Hearing at 8:09 p.m. Ayes – 5. Motion carried. City clerk Kristi Lundy noted proof of publication was on file and there were no written comments. There were no vocal comments. Bass/Ratchford motion to close the Public Hearing at 8:10 p.m. Ayes – 5. Motion carried.

Wilson/Smock motion to approve Resolution 2898 approving the Budget Amendment for the fiscal year 2017/2018. Roll call: Ayes – 5. Motion carried.

Councilman Schellhorn updated council on the James Street lift station fence stating he took Tom to look at the fence at Country Estates, adding Country Estates gave Tom all the instructions. Schellhorn thinks the fence will last a long time. Schellhorn explained was cost effect to extend size and purchase four

eight foot panels and use them rather than paying to cut them down. This allows for one less post. Schellhorn noted the posts are ready and perimeter lines done but Tom is busy now. Schellhorn would like to have this done by the end of the school year.

Smock/Ratchford motion to approve the Mayoral re-appointment of Dean Heideman to the Board of Adjustments with a term to expire 03/01/2023. Ayes – 5. Motion carried.

Mayor Swope gave his monthly report stating there is an issue with Lot #1 regarding the lift station visibility and a drainage problem on Lot #9. Smock suggested discussing these further at the scheduled Thursday meeting. City clerk Lundy mentioned the City's new truck came in today at a slightly lower cost.

Ratchford/Wilson motion to adjourn at 8:25 p.m. Ayes – 5. Motion Carried.

Tim Swope, Sr., Mayor

ATTEST:

Kristi Lundy, CMC, City Clerk