

City of Elk Run Heights  
Regular Council Meeting  
City Hall Council Chambers  
May 12, 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 – Wilson, Smock, Bass, Heideman and Heth. Quorum present. Heth/Smock motion to approve the May 12, 2015 Agenda. Ayes – 5. Motion carried.

Smock/Heth motion to accept the Consent Agenda approving April 14, 2015 regular council meeting minutes, accept the City Clerk's Reports, Investment Report, the Revenue and Expenditure Reports as of April 30, 2015 as presented, approve Resolution 2744 authorizing the payment of city bills, approve Resolution 2745 approving the Yard Waste contract with the City of Evansdale for Fiscal Year 2015/2016, approve Resolution 2746 approving the Library contract with the City of Evansdale for Fiscal Year 2015/2016, approve Resolution 2747 Amending Resolution 2712 authorizing a 28E agreement with the City of Evansdale pertaining to the ownership of the Dubuque Road Bridge and authorizing signature of Mayor and City Clerk, approve the Cigarette Renewal for Casey's General Store effective July 1<sup>st</sup>, 2015. Ayes – 5. Motion carried.

Mayor Swope opened the Public Input. Resident Gene Edler, 424 Gilbertville Road, questioned the routing of traffic during the Plaza Drive Project. City Engineer Mike Dryden replied traffic will be routed over Black Hawk County and signs will be posted.

Mayor Swope introduced Larry Burger of Speer Financial, Inc. Larry spoke to the council regarding the Supplemental Financial Services Agreement. Speer Financial became a Municipal Advisor on July 1, 2014, under the Dodd-Frank Act of 2010. Under the new compliance regulations, the city has to sign the new contract, which does not change any services they offer or the fee structure that is already in place. This FSA provides the city with disclosures that new regulations require be sent. Larry said they are now required to identify everything they can charge us for in the supplement.

Smock/Wilson motion to approve the Supplemental Financial Services Agreement with Speer Financial, Inc. and authorizing the Mayor to sign. Ayes – 5. Motion carried.

Larry Burger discussed different options for the General Obligation Capital Loan Notes for the Plaza Drive Reconstruction Project. The estimate of the project is \$800,000 and the city is looking at borrowing \$500,000 and using \$300,000 of available cash. Discussion was held on the length of the loan. Larry stated there are different ways to set up the repayment schedule which can be decided after the bid letting of the project in July. He added the city will then know more about the cost and the timeline. The important thing is having the public hearing.

Mayor Swope opened the Public Hearing for the General Obligation Capital Loan Notes Not to Exceed \$500,000.00 at 7:42 p.m. City Clerk Lundy reported proof of publication was on file and no written comments were received. There were no oral comments.

Wilson/Bass motion to close the Public Hearing at 7:42 p.m. Ayes – 5. Motion carried.

Heth/Wilson motion to approve Resolution 2748 instituting proceedings to take additional action for the issuance of not to exceed \$500,000.00 General Obligation Capital Loan Notes. Roll call: Ayes – 5. Motion carried.

City Engineer Mike Dryden reported on final plans for the Plaza Drive project stating the only changes were regarding traffic control. In regards to the need for a lift station at the trailer court Mike felt the southwest corner may have issues. There are a few different options to address it. Mayor Swope ask Mike to get elevation grades. Mike agreed.

City Attorney Heather Prendergast summarized the legal proceedings regarding the former Raymond Road trailer court, stating May 19, 2015 they will meet to set the date for trial. Actual court day could be a year away.

Mayor Swope opened the Public Hearing for the Amendment of the Fiscal Year 2014/2015 Budget at 7:48 p.m. City Clerk Lundy reported 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 7:48 p. m. Ayes – 5. Motion carried.

Heth/Smock motion to approve Resolution 2749 approving the Fiscal Year 2014/2015 Amended Budget. Roll call: Ayes – 5. Motion carried.

Mayor Swope presented Ordinance 234 – An ordinance Amending Chapter 2.04.250 Council member's salary of the Code of Ordinances amending compensation of council members from \$30.00 to \$50.00 per meeting.

Wilson/Smock motion to approve the 1<sup>st</sup> reading of Ordinance 234 amending Chapter 2.04.250 amending compensation of council members. Ayes – 5. Motion carried.

Wilson/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 234. Ayes - Smock, Heideman, Wilson. Nays – Heth, Bass. Motion carried.

Wilson/Smock motion to adopt Ordinance 234. Ayes – 5. Motion carried.

Bass/Heth motion to post Ordinance 234 instead of publish as allowed per Chapter 1.16.020: Public posting in lieu of publication. Ayes – 5. Motion carried.

Mayor Swope presented Ordinance 235 – An ordinance Amending Chapter 2.08.050 Mayor compensation of the Code of Ordinances amending Mayor annual compensation of \$2,500.00 to \$5,000.00.

Heth/Smock motion to approve the 1<sup>st</sup> reading of Ordinance 235 amending Chapter 2.08.050 amending Mayor annual compensation. Ayes – 5. Motion carried.

Wilson/Smock 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 235. Ayes – Wilson, Heideman, Smock. Nays – Heth, Bass. Motion carried.

Wilson/Smock motion to adopt Ordinance 235. Ayes – 5. Motion carried.

Heth/Bass motion to post Ordinance 235 instead of publish as allowed per Chapter 1.16.020: Public posting in lieu of publication. Ayes – 5. Motion carried.

Mayor Swope gave his monthly report, asking if council had seen the former trailer court land or park areas. Mayor Swope informed the council of all the clean up done in those areas. Smock noticed the improvements and had stopped in city to hall to compliment Tom for all his work. Mayor Swope explained while having the sewers lines cleaned and jetted on Linda and Marie a saw became stuck. Therefore the city will have to dig up some back yards to fix this. Mike mentioned the success of another city by slip lining pipes and reducing infiltration by over half. Mayor Swope presented resident Al Cross, 434 Amber Lane, with a certificate and gift for all the years of volunteer work he has done. He expressed Al is always there to help when we need something done.

During old business Smock questioned the reason for the opposition to the suspension of rules for the 2<sup>nd</sup> and 3<sup>rd</sup> readings on Ordinances. Heth/Bass felt the public should have more time to review this and there is no hurry to get this done.

During new business Bass questioned the council if they had read the article in the Courier regarding the City of Waterloo sewer financial problems. Heideman ask about plans for the trailer court. Mayor Swope stated the council had asked for a proposal from the Fricksons which they are working on. Mike thought the city should formulate a plan first. Smock agreed and ask for a meeting to discuss this. City Attorney Prendergast reminded the council if these plans are simply a vision the meeting could be open if discussing numbers it should be closed. Bass would prefer to wait until the survey on the elevations is completed to determine if a lift station would be needed. Mike stated the survey should only take a couple of days. City Clerk Lundy set the meeting for Wednesday May 20, 2015 6:00 p.m. at city hall.

Heth/Smock motion to adjourn at 8:08 p.m. Ayes – 5. Motion carried.

---

Tim Swope, Sr., Mayor

ATTEST:

---

Kristi Lundy, CMC, City Clerk