

City of Elk Run Heights
Regular Council Meeting
May 12, 2020 - 6:00 p.m.

The regular council meeting of the Elk Run Heights City Council was held May 12, 2020. In order to help stop the spread of the COVID-19 virus, this special meeting of the Elk Run Heights City Council was held electronically. Chapter 21.8 of the Iowa Code does permit an electronic meeting where all members participate remotely when an in-person meeting is impossible or impractical, which is certainly true during this crisis. On March 19, 2020, Governor Reynolds issued a Proclamation of Disaster Emergency which included a suspension of Iowa laws that would prevent the use of electronic meetings or the limitation on the number of people present at an in-person meeting site. Therefore, only City Clerk Julie Eastman was present at Elk Run Heights city hall at 5042 Lafayette Road.

Mayor Lundy called the meeting to order at 6:04 pm. All present recited the Pledge of Allegiance. Roll call of Council Members: Present –Ratchford, Wilson, Bass, Sallis and Smock. Quorum present.

Bass/Wilson motion to approve the May 12, 2020 Agenda. Ayes-Five. Motion carried.

Bass/Wilson to approve the following items on the May 12, 2020 consent agenda a. Approve the March 10, 2020 meeting minutes b. City Clerk's Reports as of April 30, 2020: Budget Report, Treasurer's Report, Fund Report, Revenue and Expenditure Reports and Investment Report c. Approval of Building Inspection and Police Department reports. Roll call vote: Five. Motion carried.

Wilson/Bass to approve resolution 3009 authorizing the payment of bills and transfers. Roll call vote: Ayes-five.

Wilson/Bass to approve resolution 3010 setting the date of public hearing for hazard mitigation plan. Mayor Lundy explained this is a plan the Black Hawk County revises every few years and the only change was that Evansdale is now doing our Police coverage. Roll call vote: Ayes-five.

Ratchford/Bass to approve resolution 3011 setting the date of public hearing for authorization to amend FY2020 budget. Councilor Bass asked what needed to be amended. City Clerk Eastman responded that she will be working with the accountant to verify if anything needs to be changed, but explained it is very typical for any city to have at least one budget amendment per year. Roll call vote: Ayes-five.

Smock/Ratchford to approve resolution 3012 updating personnel policy by adding a section on safety glasses reimbursement. Roll call vote: Ayes-five.

Ratchford/Wilson to approve resolution 3013 approving Mayor Lundy to sign the Federal-Aid Agreement for Iowa's Transportation Alternatives Program Project for the Mayor's Park Projects. Mayor Lundy explained this is the step needed to be able to start requesting reimbursement for the Mayor's Park Projects. Councilor Smock asked City Engineer Dryden if he thought the trail project would still be on schedule to break ground this year. Dryden responded that with the authorization process's being more delayed than usual he did not think the project would be on schedule to begin this year. Roll call vote: Ayes-five.

Ratchford/Wilson to approve request from Public Works Director to have asphalt patching done at the intersection of High Street and the intersection of Elk Run Street in amount not to exceed \$2,355.00 and to doing repairs by removing existing asphalt and rock and to repave at the City shop parking lot in an amount not to exceed \$22,345.00 all performed by Aspro, Inc. of Waterloo, Iowa. Councilor Ratchford asked if we had requested quotes from other companies.

Mayor Lundy responded that we had not and explained Aspro has always been the lowest bid and they are able to get in and get the job done right away. There was discussion regarding the pricing per square foot. City Engineer Mike Dryden explained that the price per square foot can depend on the size of the projects causing smaller projects to cost more. Ayes-Five. Motion carried.

Request from Casey Albright to hold a parade in honor of the Class of 2020 graduates on May 26, 2020 at 6:00 Starting in Evansdale and coming down Lafayette Road to Gilbertville Road to Elk Run Street to McCoy Road to Gilbert Drive going back into Evansdale. Mayor Lundy explained there would be a parade starting in Evansdale which will include but may not be limited to the Evansdale Police and Fire Departments driving through the two towns and acknowledging the High School Graduates and handing out cookies to them. Ayes-Five. Motion carried.

Discussion/Possible Action: Garage sales. After some discussion Council agreed that the Citywide garage sales will be postponed to a future date. Ratchford/Sallis to approve the decision to table rescheduling of garages sales until the June 9, 2020 meeting. Ayes-Five. Motion carried.

Discussion/Possible Action: Avesis Vision Insurance plan options. City Clerk Eastman explained the current plan for an individual employee is \$7.58 and employee with children is \$15.92 and covers very basic needs for ophthalmology; and with the Public Works Director needing higher grade lenses it would be beneficial to upgrade. Council discussed the options and asked if the City pays for this or if there is a split. Mayor Lundy responded that the City pays for Vision and Dental. Councilor Smock asked Eastman if she would use it if the upgrade was implemented. Eastman responded yes. Ratchford/Smock to approve renewing the Avesis Vision Plan to the Alternat #2 plan which will be \$10.47 for the individual employee plan and \$22.32 for the employee with children plan. Ayes-Five. Motion carried.

Update on Code violations brought to council's attention. City Clerk Eastman went over the listing of violations that were brought to council; notifying them of the individuals that had been in contact with City Hall, who had been working on the cited nuisance, and who had not responded or made efforts to remedy the citing. City Attorney Prendergast asked what method of action the City had given the violators. Eastman replied that there were letters sent out giving the residents 14 days to come into compliance or they would receive a municipal infraction of up to \$750.00. Prendergast then explained the differences between the infraction and abatement procedures; emphasizing that with the letter that was sent we are unable to abate the property. Eastman explained that if the property owners did not comply within the 14 day she would then send a certified letter determining at that time whether or not there would be an infraction issued or an abatement, thus giving that home owner slightly more time to contact the Code Enforcement officer or City Hall to make arrangements. After continued discussion it was agreed to send a "soft" letter followed by a certified "strong" letter.

Discussion: Updating the current Code pertaining to parking in grass. Councilor Ratchford stated this was already updated a couple of years ago, and the rest of Council agreed they thought the same. City Clerk Eastman pointed out the minutes from those previous discussions and explained the Code was updated only to include parking in the grass for the front of the yard. Council agreed they would like to update the current Code to include side yards as well and directed Eastman to present an ordinance at the next meeting.

Discussion: Updating the current Code pertaining to paving driveways. Again, Councilor Ratchford stated this was already updated a couple of years ago, and the rest of Council agreed they thought the same. City Clerk Eastman explain that from the minutes it was supposed to have been updated in a different section of the Code that would be more appropriate, but based on the records there wasn't another ordinance brought to Council on the topic of paving driveways. With that being said, anyone who hasn't paved their driveways to date will be grandfathered into not being required to do so. Again, Council agreed they would like to update the current Code

regarding paved driveways as well and directed Eastman to present an ordinance at the next meeting.

Public Discussion: Allison Lundy, of 217 Marie Avenue made Council aware that even though she is grandfathered in to not being required to pave her driveway, she is still planning on doing so and is waiting on bids. Ryan Sallis of 180 Gray Street brought up the water problems in the back yards of the residents along Gray Street and Lafayette Road and how the continued years of water flowing issues is really taking a toll on the homeowner's properties. Councilor Ratchford asked if this should have been something the developers took into consideration. City Engineer Mike Dryden responded in a new home development like this it is something that unfortunately is not considered. Councilor Smock addressed the option of Dryden coming up with some solutions, but the costs being assessed to the homeowner's taxes. They were then asked to have the Sallis' to get signatures from some of the residents, they agreed. Angel Peters, 5326 Lafayette Road asked about the status of the house located at 100 Toneff. City Attorney Prendergast stated the court has ruled in the City's favor and she has spoken to the lenders, but is waiting to hear back from them, but assured everyone this is being handled.

Mayors/Council/Engineer Reports. Mayor Lundy updated Council on the progress of the Sutton lift station stating the framing to pour the concrete has been set up and depending on the weather can be done soon. Once that is completed MidAmerican Energy can connect the natural gas line for the generator. Additionally, Lundy stated the Public Works Director has cleaned up and painted the old snowblower and will be selling it along with the old mower deck. She also stated the new mower deck will be in next month and the new snowblower should be in around June or July. Lundy then updated council that PeopleService will be getting 3 quotes for the maintenance contract for the pumps at the lift stations. City Clerk Eastman was asked to investigate the recycling reimbursement the City receives from Black Hawk County Solid Waste Management Commission. Eastman informed Council the City receives \$4,468.00 per year for a recycling reimbursement. Last fiscal year the City paid out \$5,412.16 which was a \$944.16 loss for the City and so far this fiscal year we have already paid out \$6,178.21 and by estimating the average monthly costs will be at least \$1,614.05 over for this fiscal year. Councilor Smock asked Eastman to please find estimate for doing away with the recycling bins at City Hall, but leaving the cardboard bins, and to see if the residents can receive a discounted rate if we are only offering curbside pickup.

Ratchford/Wilson motion to adjourn at 7:23 p.m. Ayes-Five. Motion carried.

Attest:

Kristi Lundy, Mayor

Julie Eastman, City Clerk