

City of Elk Run Heights
Regular Council Meeting
Eddis Winstead Council Chambers
June 11, 2019 – 7:00 p.m.

Mayor Swope, Sr. 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/Bass to approve the June 11, 2019 agenda. Ayes–5. Motion carried.

Ratchford/Wilson to approve the following items on the Consent Agenda: a. Approve the May 14, 2019 regular minutes and May 20, 2019 special meeting minutes. b. Tobacco permit renewals: Casey’s General Store and Road Ranger. Roll call vote: Ayes-Five.

Mayor Swope, Sr. paused the meeting to congratulate Tommy James for 40 years of service with the city.

Ratchford/Schellhorn to approve the change in the time limit for public comments from five minutes to three minutes. Merlyn Schmidt, 216 Marie, was opposed to the change in time. Councilor Bass was opposed to the change in time, stating if our residents want to address an issue, we should give them ample time to do so. Mayor Swope responded that he would allow ample time for a resident’s discussion to take place. Ayes-Four. Nays-One (Bass). Motion approved.

Public Input: Merlyn Schmidt, 216 Marie, stated that the city owed the former city clerk an apology for accusations made and believed that she wasn’t in the wrong. Councilor Ratchford responded that while he was employed by GMAC the FLSA changed payroll guidelines, employees must be paid for the actual hours worked. Councilor Smock also stated that employees are paid for the actual hours worked. Brenda Miller, 198 Toneff, questioned when the investigation report performed would be made public. Mayor Swope responded that it was attorney/client privilege at this time. Eugene Edler, 424 Gilbertville Rd., questioned if the city would have a state audit. Smock responded that it was on the agenda to approve. Chris Parker, 212 Sutton, stated that once the results of the investigation becomes public and the city has their checks and balances in place and the new city clerk is appointed, Mayor Swope should resign as he hasn’t ensured the city’s checks and balances were in place.

Ratchford/Smock to approve Resolution 2947 approving and authorizing the payment of city bills. Councilor Bass questioned the invoice to Mobotrex. Interim Clerk Kobliska responded that it was payment for the control box at Elk Run Rd. and Dubuque Rd. that had been hit in an accident and reimbursed by insureds insurance company. Roll call vote: Ayes-Five.

Ratchford/Schellhorn to approve Resolution 2948 approving Safety Service Agreement with INRCOG in the amount of \$2,050. Councilor Smock questioned if council could attend. Clerk Kobliska responded for Smock to contact INRCOG. Roll call vote: Ayes-Five.

Ratchford/Wilson to approve request from Mayor to sign an agreement with gWorks purchasing direct deposit for payroll and ACH for utility billing in the amount of \$1,725 with an annual fee of \$365. Council was excited to come into the 21st century. Council questioned if residents would be able to pay their utility bill online. Kobliska responded that the residents could have their bill drafted from their account if so choose. Ayes-Five. Motion carried.

Ratchford/Smock to approve request from City Clerk to send out an RFP for the FY19 annual exam. Ayes-Five. Motion carried.

Ratchford/Bass to approve request from City of Waterloo Fire and Rescue to enter into an annual 28E Agreement for services in the amount of \$36,659.94. Ayes-Five. Motion carried.

Ratchford/Bass to approve motion to appoint new City Clerk. Mayor Swope introduced Julie Eastman, City Clerk.

Smock/Ratchford to approve Resolution 2949 approving compensation. Roll call vote: Ayes-Five.

Wilson/Smock to approve Resolution 2950 approving signatories at First Security Savings Bank. Roll call vote: Ayes-Five.

Smock/Wilson to approve Resolution 2951 authorizing the mayor to sign a memorandum of understanding with I.N.R.C.O.G. for the preparation of a (REAP) Resource Enhancement and Protection grant for the Mayor's Park Creekside Cleanup. Councilor Smock stated that it was 100% funding to clean-up the shoreline along Elk Run Creek. Roll call vote: Ayes-Five.

Ratchford/Wilson to approve request to approve Five-year Sewer Maintenance Agreement with Municipal Pipe Tool and have the Mayor sign said agreement after review by city attorney. Mayor Swope stated that the city had a long-term relationship with Municipal Pipe and that they had always been there for us when we needed them. Tommy James, Public Works Director, stated that their assistance was immediate especially if we had a plugged sewer line in the middle of the night. Ayes-Five. Motion carried.

Ratchford/Wilson to approve crack sealing of city streets with Kluesner Construction. Councilor Schellhorn explained the process and that it was preventative maintenance on the city streets. Ayes-Five. Motion carried.

Mayor's Report: Mayor Swope stated that the city engineer would be addressing the street issues at the corners of Gilbertville Rd. and Plaza Dr., and Dubuque Rd., and Plaza Dr. as the roadway had severely deteriorated at those intersections. Councilor Ratchford questioned if we could embargo the roadway as the truck traffic is destroying the roads. City Engineer Dryden stated that the roadway was a federal aid roadway and didn't believe that the city could limit truck traffic on the road. Swope also stated that he would be contacting the planning and zoning committee as it was requested to rezone a lot on Sunset from agricultural to residential as they would be building a new home.

Old Business: Drainage issues on Gray Street. Mayor Swope discussed the ongoing issues on Gray Street. Councilor Bass stated that it was a wet spring and was having difficulty mowing with the high-water table and saturated ground. City Engineer stated that the area needed to be retiled. Councilor Schellhorn questioned why the fences encroach on the city easement. Mayor Swope stated that the issue needs to be addressed and the residents would work with the city to resolve the issue. Councilor Wilson stated that we should get an estimate to resolve the issue and present it to the residents for their share. Engineer Dryden responded that he would get an estimate. Heather Sallis, 180 Gray St., stated that their sump pump runs 24/7 and they had their property tiled and it hasn't resolved the issue. Another Gray Street resident stated that the yard was sinking down due to the ground water underneath. Ms. Sallis also stated that each homeowner was trying to resolve the issue on their property, and it appeared to

make the matter worse and wondered if a collective solution could be found to help all of them resolve the issue. Councilor Schellhorn questioned if the railroad tracks would be repaired at Elk Run Road and Dubuque Road. Swope asked Schellhorn to contact the railroad. Schellhorn also questioned if the restrooms at Mayors Park would be addressed. Swope ensured that he was working on it. Councilor Smock questioned if the funds for Mayor Park would still be available next year if we didn't use them this year. Interim Clerk Kobliska responded that the funds would still be available but would have to amend next year's budget to include any additional expenses. Councilor Bass questioned if the city would be reseed-ing and grading the ditch on Gilbertville Rd. Mayor Swope responded that it would be taken care of. Merlin Schmidt, 216 Marie, stated that the mayor was being accused of firing the clerk and that state law prohibits the mayor from doing so. Councilor Smock responded that it wasn't the case and that it was a rumor.

New business: Cleaning out diversion channel by the culvert of Dubuque Rd. at Lafayette. Mayor Swope stated that water was backing up in the ditch at that intersection and needed to be cleaned out and that he would get an estimate from Frickson to do so. Councilor Smock stated that there had been an increase in vehicles speeding on Marie Avenue and didn't believe there was adequate signage. Tommy James responded that we could install more traffic signs but without tickets issued for speeding it would do no good. Smock appreciated Tommy's feedback and would like it if he would attend the meetings in the future. Councilor Bass stated that it could be made mandatory that department heads attend the meet-ings. Councilor Wilson respected the input from public works as well. James stated that if council wanted his attendance, he would be here.

Ratchford/Schellhorn motion to adjourn at 8:04 p.m. Ayes-5. Motion carried.

Attest:

Tim Swope, Sr., Mayor

DeAnne Kobliska, Interim City Clerk