

City of Elk Run Heights
Regular Council Meeting
City Hall Council Chambers
June 14, 2016 - 7:00 p. m.

Mayor Swope called the meeting to order at 7:00 pm. All present recited the pledge of Allegiance. Roll call of Council Members: Present – Bass, Ratchford, Wilson, Smock and Heth. Quorum present. Wilson/Heth motion to approve the June 14, 2016 Agenda. Ayes – 5. Motion carried.

Ratchford/Bass motion to approve the following items on the consent agenda, the May 10, 2016 regular council meeting minutes, accept the City Clerk's Report, Investment Report, the Revenue and Expenditure Reports as of May 31, 2016 as presented, approving Resolution 2806 creating a 65th City Celebration Fund which will provide the proper accounting of funds associated with the City Celebration, approve Resolution 2807 the transfer of funds, \$25,332.39 from the Water Depreciation Fund to the Water Fund for the purchase of radio read water meters, hand held unit and support fees, \$13,471.25 from the Vehicle Replacement Fund to the General Fund for the purchase of a new city truck, \$9,000.00 from the Sewer Fund to the Sewer Replacement Fund for the end of year transfer, \$250.00 from Capital Outlay Office Equipment to Office Equipment Reserve Fund for the end of year transfer, approve the cigarette permit renewal for Road Ranger for FY 2016/2017, approve the beer permit renewal for Casey's General Store for FY 2016/2017. Roll call: Ayes – 5. Motion carried.

Bass questioned the bill for a starter for the 03 Chevy. Mayor Swope explained the City's 2003 Chevy truck broke down at Casey's and they towed it to Rydell. He was not apprised of the situation at the time but this would not happen again. Bass also questioned the IMWCA payment; City Clerk explained this is the Fiscal Year Iowa Worker's Comp Insurance payment. Bass/Heth motion to approve Resolution 2805 approving and authorizing the payment of city bills. Roll Call: Ayes – 5. Motion carried.

During Public Input Resident Gene Edler, 424 Gilbertville Road questioned when Evansdale Police will be enforcing speed limits. Mayor Swope responded July 1, 2016. Resident Craig Wells, 117 Linda Avenue, also questioned this, and reported he has been passed while driving on Gilbertville Road by speeders and has noticed cars parking on the No Parking side of Shirley Avenue. Craig lives on a cul-de-sac and requested a No Outlet sign for his street. Garnet Phillo, 5500 Lafayette Road, also requested some type of signage for the end of Lafayette Road. Ratchford stated the City will get the needed signs posted.

Resident Garnet Phillo, 5500 Lafayette Road, spoke to the council requesting the City pay for the connection to the water hookup from the main to his property line. Council discussed this extensively. City Attorney Prendergast stated the City needs to get the total cost first. Mayor Swope called for a motion to table this discussion. Heth/Ratchford motion to table a decision on Garnet Phillo's request until the cost can be determined. Ayes – 5. Motion carried. Bass/ Ratchford motion to pay the Frickson Brothers Excavating, 737 Colleen Avenue, Evansdale, bill of \$2,400.00 for installation of 100 feet of S-D-R sewer from main to property line at 5500 Lafayette Road. Ayes – 5. Motion carried.

City Engineer Mike Dryden reviewed Resolution 2808 the railroad crossing repair adding the 60% DOT, 20% railroad and 20% city split of the cost is due to underfunding. Mike recommended the City pay the

fixed cost of \$25,260.00. City Attorney Prendergast ask the City's contingency, as she has not read any materials concerning this. Mike replied the City has no responsibility on this project. City Clerk Lundy questioned if this should be tabled to give the attorney time to review the contract. Council replied yes.

Bass/Wilson motion to table Resolution 2808 approving participation in a cooperative at-grade crossing surface repair project for the North Plaza Drive railroad crossing between the Chicago, Central & Pacific Railroad Company and the City of Elk Run Heights. Ayes- 5. Motion carried.

Bass/Heth motion to approve Resolution 2809 approving Pay Estimate #5 and the final payment for the Plaza Drive Reconstruction Project in the City of Elk Run Heights, Iowa, to Croell and Subsidiary in the amount of \$25,379.16. Roll Call: Ayes – 5. Motion carried.

Ratchford/Wilson motion to approve Resolution 2810 authorizing Change Order No. 2 for the Plaza Drive Reconstruction Project in the City of Elk Run Heights, Iowa, which increases the contract value of the Project by \$98.95, modifying quantities to reflect the actual as-built quantities on the Project. Roll Call: Ayes – 5. Motion carried.

Smock/Ratchford motion to approve Resolution 2811 approving Pay Estimate No. 3 to Frickson Brothers for the Elk Ridge Estates First Addition Improvement Project authorizing the expansion of the Project by the additional 260 linear feet of 6-inch diameter water main to complete the water main loop between Lafayette Road and the Shirley Addition to the south for a lump sum price of \$8,527.27, as prepared by Ament Design. Roll call: Ayes – 5. Motion carried.

Smock/Ratchford motion to approve a curb cut quote on Plaza Drive from Iowa Wall systems. Ayes – 5. Motion carried.

City Attorney Heather Prendergast reported Lot 5 in the Elk Ridge Estates has been paid in full.

Evansdale Police Chief Jensen stated Redflex uses a standard practice of recording. Ratchford reviewed the process. City Attorney Prendergast reminded council only 50% will be collected and if Chief Jensen gets many, the contract cost may increase. Chief Jensen stated he will do his best, repeat offenders will be pursued and radar will be implemented. Mayor Swope ask for the next step. Ratchford will contact Redflex representative Pat Howley to come to the next meeting and suggested putting up the signs as an advance warning.

Mayor Swope opened the Public Hearing regarding Ordinance 239, an Ordinance Amending Title 13 Public Services by increasing the new connection fees and application fees at 8:08 p.m. Mayor Swope ask those in attendance if there were any vocal comments. Garnet Phillo ask what the Ordinance pertained to. City Clerk Lundy stated new connection and application fees for water/sewer hookups.

Ratchford/Wilson motion to close the Public Hearing at 8:09 p.m. Ayes – 5. Motion carried.

Smock/Ratchford motion to approve the 1st reading of Ordinance 239. Ayes – 5. Motion carried.

Heth/Smock motion to suspend the Rules requiring the 2nd and 3rd reading and place on file final adoption of Ordinance 239. Ayes – 5. Motion carried.

Heth/Ratchford motion to adopt Ordinance 239. Ayes – 5. Motion carried.

Bass/Ratchford motion to post Ordinance 239 instead of publish as allowed per Chapter 1.16.020; Public posting in lieu of publication. Ayes – 5. Motion carried.

Smock/Ratchford motion to set the Public Hearing for Ordinance 240 updating the Building Code, Plumbing Code, Electrical Code and Mechanical Code Books to be held at the next regular council meeting July 12, 2016. Ayes – 5. Motion carried.

Bass/Ratchford motion to approve Resolution 2812 approving the Professional Service Agreement with MSA Professional Services for the 2016 Facility Plan Amendment for the waste water system in the Cities of Elk Run Heights and Raymond, Iowa at a cost of \$3,750.00 to the City of Elk Run Heights. Roll call: Ayes – 5. Motion carried. Mayor Swope stated this was generated by City of Evansdale's Mayor Doug Faas and City of Raymond's Mayor Monte Johnson. Evansdale will not be able to build or revise their waste water treatment plant. Mayor Swope visited Fairfield and Gilbertville Aeromod plants. Ratchford felt Elk Run may need to build a new plant. Smock ask why another study. City Engineer Dryden replied as proof of need and to determine if Aeromod is feasible. Bass questioned if a Resolution was on file to go with the City of Waterloo. Smock replied no only look at Waterloo's contract. Heth questioned if the City of Raymond had paid their part of the Bolton and Menk Study. City Clerk Lundy replied; No Raymond did not pay for the last study. The City of Elk Run Heights paid for all of it.

Ratchford/Heth motion to approve Resolution 2813 approving the establishment of a 457 Deferred Compensation Plan and Trust to be administered by the ICMA Retirement Corporation. Roll call: Ayes – 5. Motion carried.

Ratchford/Wilson motion to approve permission for the City Clerk to invest funds at Farmer's State Bank. Ayes – 5. Motion carried. City Clerk Lundy noted Farmer's State Bank is already listed on the City's depository Resolution.

Ratchford/Wilson motion to approve the Building Inspector's May 2016 Report. Ayes – 5. Motion carried. The May 2016 report showed a construction value of \$359,400.00. Mayor Swope asked council if they would like to hire the Building Inspector for Code Enforcement. Smock is in agreement. Ratchford questioned the cost. Mayor Swope will look into this. Ratchford thought the position would be as a private contractor. Mayor Swope mentioned he is working on nuisances within the City.

Council reviewed the Personnel Policy; Heth stated this review is due to insurance, probation periods, wage tables and stipend changes. Heth will make these changes and present them at the next meeting. Mayor Swope ask if all employees get the three per cent increase July 1, 2016. Council replied yes.

City Clerk Kristi Lundy noted the next meeting for The 65th Anniversary Celebration will be Wednesday, June 22, 2016, at 6:00 p.m. at City Hall. City Clerk Lundy will keep Chief Jensen informed of all the Celebration activities.

Mayor Swope gave his monthly report, asking for a volunteer to represent Elk Run on the City of Evansdale Library Board. City Clerk Lundy stated the board meets once a month. Ratchford thought he could find someone to do this. Mayor Swope mentioned a house in the City is up for a tax sale. City Attorney Prendergast felt council members should view the property and also recommended waiting until the property is vacated before pursuing it.

Ratchford/Wilson motion to adjourn at 8:35 p.m. Ayes – 5. Motion carried.

Tim Swope, Sr., Mayor

ATTEST:

Kristi Lundy, CMC, City Clerk