

City of Elk Run Heights  
Special Council Meeting  
City Hall Council Chambers  
July 26, 2016 - 6:00 p. m.

Mayor Swope called the meeting to order at 6:00 p.m. All present recited the pledge of Allegiance. Roll call of Council Members: Present – Ratchford, Smock, Bass, Heth and Wilson. Quorum present. Bass/Ratchford motion to approve the July 26, 2016 Agenda. Ayes – 5. Motion carried.

Council discussed the Redflex Contract and reviewed the Automated Traffic Enforcement Ordinance. Ratchford stated a three to five year contract would allow Redflex to recoup their investment. Wilson agreed, will take that long to be effective. Heth questioned if council wanted a longer plan. Bass felt longer is better. City Attorney David Hosack stated the six months clause for expert witnesses would not be needed, specific percentages needs to be determined as does the rate increases. Attorney Hosack did not see any particular risk in the contract. Ratchford and Heth want a decision on specifics. Attorney Hosack explained the need to have the Public Hearing first, pass the Ordinance before signing the contract. Smock questioned if the 2<sup>nd</sup> and 3<sup>rd</sup> reading could be waived if stated on the Agenda, she thinks there should be two meetings. Smock felt the police department should be the entity to slow traffic. Smock does not want the City to get a reputation and wants time for the public to speak. Bass ask if Public Hearing then two more meetings. Mayor Swope stated someone had mentioned raising the speed limit to thirty on Lafayette Road. Smock noted that Gilbertville and Lafayette Roads shoulders need repair. Evansdale Patrol Officer Cass Dietz discussed ticket costs, court costs and surcharges. Wilson noted violators more likely to pay if fine lower, Smock agreed. Officer Dietz stated tickets will be at the City's discretion. Attorney Hosack advised the council to leave in the 1 – 5 and 6 – 10 MPH as a fineable offense to keep on the books. Officer Dietz agreed. Heth felt five over could be human error. Ratchford stated violations recorded could prove to be a no insurance or no license case. Ratchford, Bass and Heth expressed concern with unauthorized trucks – their speed and weight. Heth/Ratchford thought a Code Enforced sign could be attached to the No Trucks sign. Bass ask where the cameras will be. Ratchford stated corner of McCoy and Lafayette Roads and corner of Marie Avenue and Gilbertville Road. Ratchford will call Pat Howley, Reflex representative regarding the contract and truck issues. Attorney Hosack mentioned the jurisdiction of venue for the Redflex contract is in Phoenix AZ just be aware of that, then get the specific percentage of fines and number of years in contract. Ratchford feels the Public Hearing attendance will be the deciding factor for the second and third Ordinance readings. Mayor Swope reminded council no rush on this. Council agreed to leave the Automated Traffic Enforcement Ordinance as is.

Council discussed the Mid American Energy contract for Electric Service to the Elk Ridge Estates First Addition. Attorney Hosack requested the name of the location be changed from Trailer Park Addition, scheduling of installation be better defined and done before winter. Council agreed. Smock/Ratchford motion to provisionally approve the Mid American contract: (a) the name on the contract must be changed from Trailer Park Addition, (b) the date doing must be determined and (c) the rebate amount must be known. Ayes – 5. Motion carried.

Mayor Swope informed council the Black Hawk Gaming Association did not approve the second bathroom in Mayor's Park.

Ratchford/Wilson motion to adjourn at 7:05 p.m. Ayes – 5. Motion carried.

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Tim Swope, Sr., Mayor

ATTEST:

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Bonnie G. Cross, Deputy Clerk