

City of Elk Run Heights  
Regular Council Meeting  
August 11, 2020 - 6:00 p.m.

Mayor Lundy called the meeting to order at 6:01 pm. All present recited the Pledge of Allegiance. Roll call of Council Members: Present –Smock, Ratchford, Wilson, and Bass. Absent-Sallis. Quorum present.

Ratchford/Bass motion to approve the August 11, 2020 Agenda. Ayes-Four. Motion carried.

Wilson/ Ratchford to approve the following items on the August 11, 2020 consent agenda a. Approve the Amended July 14, 2020 regular meeting minutes and July 30, 2020 special meeting minutes b. City Clerk’s Reports as of July 31, 2020: Budget Report, Treasurer’s Report, Fund Report, Revenue and Expenditure Reports c. Approval of Building Inspection, Library, Police and Sewer Department reports. Roll call vote: Four.

Ratchford/Bass to approve Resolution 3025 authorizing the payment of bills and transfers. Roll call vote: Four.

Ratchford/Smock to open public hearing for the leasing of the farmland at the wastewater treatment plant at 6:04 p.m. Proof of publication on file, no public comments received. City Clerk Eastman explained this is the legal side for allowing this land to be used, there will be no changes to what has been happening over the years. Ratchford/Wilson to close public hearing at 6:05 p.m.

Ratchford/Smock to approve Resolution 3026 approving the entry into a lease agreement with Charles S. Heene for the property at or near the Wastewater Treatment Plant which allows for an economic benefit to the City and allows for disposal of solid waste in a more economical manner. Roll call vote: Four.

Ratchford/Smock to approve Ordinance 268 amending Chapter 13.24, Sanitary Disposal of Garbage and Refuse, Section 13.24.160, schedule of fees, rates, and charges. Mayor Lundy stated this will raise our garbage rates \$.75 per month. City Clerk Eastman stated this increase will cover the deficit balance we have had in the Proprietary Fund for the last few years and prevent us from using the General Fund to cover the difference. Roll call vote: Four. Bass/Ratchford to suspend requirements for two (2) subsequent readings and adopt Ordinance 263. Roll call vote: Four. Wilson/Ratchford motion to adopt. Roll call vote: Four.

Discussion: Members of Council performing an office audit. City Clerk Eastman explained that her and Councilor Smock had discussed adding additional accountability measures for the process’ of City Hall. Mayor Lundy stated there was a process like this in the past. Council decided to do a quarterly office audit, Councilor Smock and Wilson volunteered to do the first one in October for the 3<sup>rd</sup> Quarter on October 6<sup>th</sup> at 3:00 p.m. Eastman was asked to do some checking to verify if it is required to have a resolution to set this in place.

Discussion: Updates to the Elk Run Heights Municipal Code: Review of proposed Driveway Chapter. Council reviewed proposed compilation of the discussed changes and additions. Upon review City Clerk Eastman was asked to find a way to reword the New Construction portion of the Code so it is understood the “new construction” means adding a new structure rather than replacing an existing. Councilor Bass expressed concerns for the resident’s financial burden of coming up with the money for a driveway at the same time as building a new home and/or garage. Councilor Wilson responded they would have one year, because that is when the permit expires. A resident asked what happens if it is not completed in that time frame. Eastman explained it would be a municipal infraction, the resident would receive a letter giving them 14 days to comply. During that time, the resident can request a hearing with the Council and ask for an extension if needed.

Eastman stated that communication is the key, we are usually willing to work with anyone who reaches out and explains their situation. Bass pointed out when driveways get put in right away at the time of build, the ground settles, and the driveways crack.

Review of proposed Parking in Grass Chapter. Councilor Bass began with section 1, pointing out it states that parking in grass is not allowed in any zoning areas. Council discussed and agreed to add a section for exceptions for agricultural and commercial zones. Bass then pointed out the section regarding farm equipment and machines. City Clerk Eastman stated she would add farm to both words to be clearer. Eastman stated rather than excluding all ag and commercial zones Council can go into more detail as to what is allowed by each zone. Councilor Ratchford asked about some of the business' being grandfathered in. Eastman stated she would talk to the City Attorney about whether there will be a portion for each chapter/topic that would apply or a general statement at the start of the new Code of Ordinances.

Bass asked about the RV section and how that will affect the residents who park them at their homes regularly. Mayor Lundy stated the way she read the section it states a RV can be parked at the homes. It was then pointed out the wording states "temporarily" in the front yard but is ok for the side and back yard, although would need to be on an approved surface. Councilor Smock added it is a real problem for visibility while driving having RV's parked too close to the road. Councilor Wilson agreed it is a hazard. Smock also pointed out this can be aesthetically burdening to the neighbors by blocking the view with a large camper. Bass worried about residents being upset with changing where they can park their vehicles after all these years and the complaints that could arise. Ratchford commented this is a double edge sword because some residents keep their properties in pristine condition who will now be in violation. Bass commented they cannot pick and choose who the codes apply to, so if someone has an RV, they could find a place to store it. Lundy suggested having a permit process for them. Smock agreed, stating this would allow for a more case by case process; there are some driveways that are not long enough to hold larger campers. Eastman then pointed out some of the issues that could arise with that option. It was decided to add a 10-foot setback from the street to the RV section.

Verify the posted speed limits 30, 35 & 45 mph. Council reviewed and updated all the speed limits.

Fireworks. The codification office stated the decision to do the dates and times yearly should be reviewed by our City Attorney. City Clerk Eastman will contact the attorney and return with the response.

Automated Traffic Enforcement. The Council had decided to leave this in the updated code. It was advised this should be removed because we do not have any automated Traffic Enforcement camera currently. Council agreed to remove.

The surveillance chapter is a City process. City Clerk Eastman explained that this topic is a City policy and practice and would need to be updated by the Council. This topic will be added to the next workshop.

Public discussion: Non-agenda items. A resident asked about the house located at 100 Toneff Dr. They were informed it would be addressed at the September meeting.

Wilson/Ratchford motion to adjourn at 7:33 p.m. Ayes-Four. Motion carried.

Attest:

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Kristi Lundy, Mayor

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Julie Eastman, City Clerk