

City of Elk Run Heights
Regular Council Meeting
Eddis Winstead Council Chambers
August 14, 2018 – 7:00 p.m.

Mayor Tim Swope called the meeting to order at 7:00 pm. All present recited the pledge of Allegiance. Roll call of Council Members: Present – Smock, Schellhorn, Wilson, Bass and Ratchford. Quorum present. Wilson/Ratchford to approve the August 14, 2018 Agenda. Ayes – 5. Motion carried.

Wilson/Ratchford motion to accept the following items on the Consent Agenda, approving the July 10, 2018 regular meeting minutes and the July 23, 2018 Parking Ordinance Workshop minutes, accept the City Clerk's Report, Budget Report, Treasurer's Report, Fund Report, Function Report, Investment Report, Revenue and Expenditure Reports as of July 31, 2018, approve Resolution 2912 approving and authorizing the payment of City bills, approve Resolution 2914 the Fiscal Year 2018 Street Financial Report, approve Resolution 2915 directing the assessment of unpaid nuisance removal fees to the Black Hawk County Treasurer, approve the June/July 2018 Building Inspector's Report. Roll call: Ayes – 5. Motion carried. Smock questioned Resolution 2913 authorizing the transfer of certain monies. Smock thought the money for garbage rate increase was coming from the WET Tax. Schellhorn agreed. Smock also questioned Resolution 2916 amending the Personnel Policy regarding training/education reimbursement by an employee if that employee is terminated or quits within one year of such training/education be changed if the employee is doing a good job or go on a case by case basis. Wilson added or if employee stays with the City for a certain amount of time. City Attorney David Hosack suggested no new policy, put on next month's Agenda for a case by case basis. Mayor Swope stated some classes are mandatory. Ratchford stated if taken above and beyond job required then fired/quit employee must reimburse the City. Ratchford/Schellhorn motion to remove Resolution 2913 and Resolution 2916 from the Consent Agenda. Ayes 5. Motion carried. Ratchford/Wilson motion to accept the changes to the Consent Agenda and place these changes on the September regular council meeting Ayes – 5. Motion carried.

Mayor Swope introduced Mark Durbahn, from AECOM, Mark gave a presentation of the North East Industrial Area Access Study, giving the council a booklet showing some of the possible options and reviewed these options. Mark explained the project is 15-20 years out and how the study evolved. He added the study provides conceptual recommendations which will be used to guide the future planning and development. Mark added there will be partnerships and some possible grants for this. Mark suggests the City attend the September 20th public meeting at Poyner School and look at AECOM's website for more information. Ratchford questioned the cost to the City and if saving should begin now. Mark replied yes, there will be cost to the City, how much is not known at this time. Kevin Blanchard, INRCOG, suggested the city participate in all public meetings regarding this. Resident Mark Brown, 105 Elk Run Street, questioned if the City buys and builds on the only land left to grow on could that be tore down for this project. Kevin replied yes. City clerk Lundy stated the job of the City council is to plan for the future. The bypass could have a big impact on any residential growth and all three alternatives presented affect Elk Run.

City Engineer Mike Dryden reported there had been a complaint to the DNR on the future storage facility not having detention ponds. Mike stated the storage facility is not required to do this. Mike reviewed Ament's proposal for the Lafayette/Gilbertville Roads Water Main Project. Mike stated the proposed project consists of construction of approximately 1,800 linear feet of water main along the easterly right-of-way line of Gilbertville Road from Plaza Drive to Young Road. Mike noted construction will begin in the spring of 2019.

Wilson/Schellhorn motion to approve Ament's proposal for the Lafayette/Gilbertville Roads Water Main Project, Scope of Services for a lump sum of \$20,470.00. Roll call: Ayes 5. Motion carried.

During City Attorney David Hosack's report Mayor Swope commented on a conversation with a resident who received a nuisance letter from the City for the condition of his residence – the property is overrun with branches and has junk cars. Mayor Swope offered personal help and the help of the City which was declined by the resident. Mayor Swope questioned if the City could now assess the cost of cleaning it up. City Attorney Hosack is reluctant to go in and repair. Ratchford suggested Code Enforcement and fines. City Attorney Hosack stated the City could cite and fine this resident to get the City's costs of clean up back.

Ratchford/Smock motion to cancel the real estate contract with Oak Ridge Realtors for the sale of City property. Roll call: Ayes – 5. Motion carried.

Ratchford/Wilson motion to accept the Remax Realtor contract agreement with Emily O'Connell as the City's realtor. Roll call: Ayes – 5. Motion carried.

Ratchford/Wilson motion to approve the 3rd reading of Ordinance 255 amending Chapter 10.04.440 Parking – no parking is allowed in the front yard, starting at the front of the house closest to driveway across the front of the property to the side lot line. Current owner may maintain that portion which is graveled, however if any improvements are to be made it must be concrete or asphalt. Smock questioned the last sentence of this Ordinance as is and wanted it removed. Schellhorn agreed. Bass is not in favor of forcing residents into hard surface driveways. City Attorney Hosack suggested driveways be addressed separately in the Zoning Ordinance. The original motion to approve the 3rd reading of Ordinance 255, was amended by removing the last sentence, amending Chapter 10.04.440 Residential Parking – no parking is allowed in the front yard, starting at the front of the house closest to the driveway across the front of the property to the side lot line, was approved. Roll call: Ayes – Smock, Schellhorn, Wilson and Ratchford. Nays – Bass. Motion carried.

Wilson/Ratchford motion to adopt Ordinance 255. Roll call: Ayes 4. Nays – Bass.

Bass/Wilson motion to post Ordinance 255 instead of publish as allowed per Chapter 1.16.020: Public posting in lieu of publication. Ayes – 5. Motion carried.

Mayor Swope gave his monthly report, thanking Ratchford for cleaning the sewer truck. Mayor Swope showed council a large piece of fireworks that landed on a resident's porch to emphasize the dangers of fireworks. Mayor Swope addressed the mower deck. Ratchford stated he had no luck in purchasing a

used mower deck. Wilson stated must buy one if needed. Mayor Swope questioned if the City would be better off just buying a new one.

During Old Business, Schellhorn questioned the City of Raymond's plans on their 28E new Waste Water Treatment Plant Agreement, he has been reading their council meeting minutes and thought Raymond wanted a fifth non-partisan party on the Sewer Committee. Mayor Swope replied he was not sure. Ratchford questioned the chain of command for the City. Mayor Swope responded Mayor/Mayor Pro tem/Council. Bass noted if employee issue must come before the council.

During New Business, Schellhorn ask if the City had spoken to the railroad about the intersection of Dubuque Road/Elk Run Road. City clerk Lundy replied the railroad contacted the City about the tracks last year but has never heard any more from them. Schellhorn also ask about tablets for the council. City clerk Lundy responded tablets are in the budget. City Attorney suggested talking to the Cities of Jesup and Evansdale because they have gone paperless.

Ratchford/Wilson motion to adjourn at 8:55 p.m. Ayes – 5. Motion carried.

Tim Swope, Sr., Mayor

ATTEST:

Kristi Lundy, CMC, City Clerk