

City of Elk Run Heights
Regular Council Meeting
City Hall Council Chambers
September 8, 2015 - 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 – Heideman, Wilson, Smock, Heth and Bass. Quorum present. Heth/Wilson motion to approve the September 8, 2015 Agenda. Ayes – 5. Motion carried.

Heth/Smock motion to accept the Consent Agenda approving the August 11, 2015 regular council meeting minutes and the August 25, 2015 special meeting minutes, accept the City Clerk's Reports, Investment Report, the Revenue and Expenditure Reports as of August 31, 2015 as presented, approve Resolution 2763 approving and authorizing the payment of city bills, approve the liquor license for Road Ranger. Roll call: Ayes – 5. Motion carried.

Mayor Swope opened the Public Input. Resident Donald Wurtz, 224 Marie Avenue, requested Trick or Treat start time be changed from last year's 5 pm to 6 pm. Smock and resident Emily O'Connell, 277 East Gilbert Drive, emphasized the 5 pm time is better for the smaller children. Council decided to place this on next month's Agenda. Heth thought a time during council meetings when the public may comment should be clarified. City Attorney Heather Prendergast suggested passing a resolution with guidelines for public input. Resident Al Cross, 434 Amber Lane, felt the Lafayette Addition Development Project should be named Elk Ridge Addition/Estates. Heth did not want our development to be confused with the Evansdale Prairie Addition.

An update to the city's current Mowing Ordinance was discussed, Mayor Swope stated only one small paragraph in the Ordinance book under nuisances addressed this and a resolution stating 12" grass length on empty lots. City Attorney stated the Resolution means nothing; it should be done by ordinance. City Clerk Lundy thinks specific steps should be added stating how the process is to be handled and she felt she and the Mayor could write it Heth questioned if a contractor hired by the city should do the delinquent mowing to eliminate any confrontation. Discussion was held on the length grass should be allowed. Mayor Swope thought grass length should be eight inches. Wilson and Smock agreed eight inches for grass length. Heth agreed six to eight inches. Bass does not think agriculture properties should be included in this. Heth agreed the reason for the ordinance is for aesthetic purposes and attractiveness of the city. Bass reported the city would have to abide by the policy also. Smock reported she monitors the parks and they are great. Mayor Swope and City Clerk Lundy will write the specifics and City Attorney Prendergast will review. Discussion was also on how to notify residents. City Clerk Lundy will research with other cities how this is handled.

Council discussed the naming of the Lafayette First Addition Development Project. Smock/Heideman motion to name the Lafayette Addition Development Project Elk Ridge Estates. Ayes - 5. Motion carried.

Covenants for the Elk Ridge Estates were discussed. Several small changes were made. Heth questioned no slabs City Building Inspector Ed Winstead stated basements add value. The length of time a guest Recreation Vehicle could be parked was limited to five days and the fence placement could begin at the front of the house to the rear. Ed verified the front setback be thirty-five feet and the large out buildings to allow post footings. No used materials are to be allowed. Ed ask for clarification of the exception rule, City Attorney Prendergast explained must comply with current building ordinances, adding all structures must be stick built. Wilson/Heideman motion to approve changes to the Covenants for the Elk Ridge Estates Addition. Ayes - 5. Motion carried. City Attorney Prendergast will make corrections to

the covenants and forward to city clerk who will forward to the engineer to get platted and the realtor for listings.

Smock/Wilson motion to approve the Listing Agreements for Elk Ridge Estates Lots one thru eight for \$27,900.00 and Lots nine and ten for \$25,900.00 with Oakridge Realtors, selling agent Emily O'Connell for the period beginning September 2015 and ending March 2016 at seven percent. Ayes – 5. Motion carried.

Mayor Swope opened the Public Hearing for the Elk Ridge Estates Infrastructure Project at 8:30 pm. City Engineer Dryden reviewed the bids received. The engineer's estimate was \$93,410.00. Bid received from Frickson Backhoe & Trucking was \$116,643.10 and Frickson Bros. Excavation was \$96,559.78. Mike found a typo in Frickson Bros. and the total is actually \$96,084.78; still making it the low bid. Smock/Heth motion to close the Public Hearing at 8:32 pm. Ayes - 5. Motion carried.

Smock/Wilson motion to approve Resolution 2764 awarding the Elk Ridge Estates Addition Improvements to Frickson Bros. Excavation, 737 Colleen Avenue, Evansdale, IA, in the total amount of \$96,084.78. Roll call: Ayes – 5. Motion carried.

City Attorney Heather Prendergast updated the council on the former Raymond Road trailer court legal proceedings stating discovery is ongoing.

Council Member Heth introduced the following Resolution 2765 entitled "RESOLUTION APPROVING THE PRELIMINARY TERM SHEET FOR \$500,000.00 GENERAL OBLIGATION CAPITAL LOAN NOTES ANTICIPATION PROJECT NOTE, SERIES 2015" and moved its adoption. Council Member Smock seconded the Resolution to adopt. The roll was called and the vote was: Ayes – 5. Motion carried.

A special meeting for the GO BOND Series 2015 was discussed. City Clerk Kristi Lundy explained the bank procedures and noted the meeting would be brief. Wilson/Heth motion to approve setting the special meeting for the GO BOND Series 2015 for September 29, 2015 at 6:00 pm at City Hall. Ayes - 5. Motion carried.

Mayor Swope gave his monthly report informing the council of the Black Hawk County Gaming Association's Grant letter approving \$12,000.00 for the Mayor's Park Tennis Court Project. Mayor Swope added this will include shelter repairs. Tom James is working on the salt bin. During old business City Engineer Dryden stated Dubuque Road patching will begin September 9, 2015 and Plaza Drive possibly will close September 10th or 11th, 2015. Mayor Swope added Waste Water Operator Mark Christianson will take his Grade III test shortly.

Bass/Heideman motion to adjourn at 8:50 pm. Ayes – 5. Motion carried.

Tim Swope, Sr., Mayor

ATTEST:

Kristi Lundy, CMC, City Clerk