

City of Elk Run Heights  
Regular Council Meeting  
City Hall Council Chambers  
November 10, 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 – Wilson, Smock, Bass, Heth and Heideman. Quorum present. Heth/Bass motion to approve the November 10, 2015 Agenda. Ayes – 5. Motion carried.

Heth/Smock to accept the Consent Agenda approving the October 13, 2015 regular council meeting minutes, accept the City Clerk's Reports, Investment Report, the Revenue and Expenditure Reports as of October 31, 2015 as presented, approve Resolution 2774 approving and authorizing the payment of city bills, approve Resolution 2775 approving the Annual Financial Report Fiscal Year 2014/2015, approve Resolution 2776 designating Unity Point Clinic, United Medical Park Urgent Care, located at 1753 West Ridgeway Avenue, Waterloo, Iowa as the City's workers' compensation treating facility as provided by law under Chapter 85.39 of the Code of Iowa. Roll call: Ayes – 5. Motion carried.

There was no public input.

City Engineer Mike Dryden reported Plaza Drive was opened last Friday November 6<sup>th</sup>. Mike added the Plaza Drive Reconstruction Project is not 100 % done. There is a bump and a dip to be corrected on the southwest side of Dubuque Road which results in a \$1,800 penalty. The DOT needs to verify the thickness of the concrete. The seeding is a separate agreement which will not be completed until spring. City Clerk Kristi Lundy questioned if Tom James could salt Plaza Drive this winter. Mike responded it would be better not to salt this winter, as this may mar the road. Mike also mentioned the next time the City has Municipal Pipe clean the storm sewer; have them clean the culverts on Plaza Drive. City Clerk Lundy questioned if the city would receive the final pay estimate next month. Mike replied the will be two more payments. Heth questioned if traffic engineering got the signals going. Mike said he needed to contact them. City Clerk Lundy ask about the traffic signal damage. Mike noted some of the damage was done but has been fixed. Mayor Swope ask Mike if the easements for the Elk Ridge Estates property is completed. Mike replied they will be done soon. Mike reviewed the condition of the Elk Run Heights Suspension Bridge at Mayor's Park, stating the bridge is in pretty good shape. Mike added the bridge needs two or three bollards added at each end to limit use, this would keep snowmobiles, ATV's and horses off the bridge. The bridge is structurally fine for pedestrians. He admitted it does need work but does not need to be done today. His recommendation is replace original cables with 3/8 inch cables, remove or replace the additional members underneath the bridge deck. The bridge deck is in good shape except wear

from snowmobiles. The rotted deck boards need to be replaced and repaint the deck, deck beams, joists and steel supports. Heth ask if the bridge had a load rating. Mike replied no but the new bollards will eliminate load concerns. Mike feels Tom is capable of making these repairs. Heth questioned if the cables should be galvanized. Mike replied yes. Mayor Swope has already spoken to Tom and Tom will be making repairs to the bridge and Larry Frost will be helping. Mayor Swope mentioned Frickson Bros are nearly done in Elk Ridge Estates infrastructure project.

Smock/Bass motion to approve Resolution 2777 authorizing pay estimate #2 for the Plaza Drive Reconstruction Project to Croell Subsidiary in the amount of \$354,559.72. Roll Call: Ayes – 5. Motion carried.

City Attorney David Hosack updated the council on the former Raymond Road Trailer Court litigation, stating this would be his last report before a closed session on the matter. City Attorney Hosack added the discovery process is ongoing and the firm is reaching out to new witnesses.

Mayor Swope presented Ordinance 236, an Ordinance Amending Title 8 Health & Safety in the Code of Ordinances of the City of Elk Run Heights, Iowa, by adding Chapter 8.10 Mowing of Properties. Bass expressed concern in mowing the agriculture properties.

Heth/Smock motion to approve the 1<sup>st</sup> reading of Ordinance 236. Roll call: Ayes – 5. Motion carried.

Bass/Wilson motion to suspend the rules requiring the 2<sup>nd</sup> and 3<sup>rd</sup> reading and place on file final adoption of Ordinance 236. Ayes – 5. Motion carried.

Bass/Heth motion to adopt Ordinance 236. Ayes – 5. Motion carried.

Heth/Bass motion to post Ordinance 236 instead of publish as allowed per Chapter 1.16.020; Public posting in lieu of publication. Ayes – 5. Motion carried.

Mayor Swope and Council reviewed the Nuisance Ordinance. City Attorney Hosack stated this Ordinance makes the code easier to read and is properly formatted. Heth and Bass suggested several changes to this Ordinance. City Clerk Lundy will make these changes and council will review the Ordinance again at the December 8<sup>th</sup> regular council meeting.

Mayor Swope and Council reviewed the Abandoned, Inoperable and Junk Vehicle Ordinance. Heth felt some of this Ordinance was overreach. Smock thought it was almost verbatim to old Ordinance. City Clerk Lundy ask council to make notes on their copy and then review the Ordinance at the December 8<sup>th</sup> regular council meeting.

Mayor Swope and Council reviewed the Noise Ordinance. City Attorney Hosack pointed out this is difficult to enforce. Heth questioned if Attorney Hosack recommended this not be specific. Attorney Hosack replied yes however the Ordinance prevents having no code to refer to. Mayor Swope ask the council to make notes on their copy and then review the Ordinance again at the December 8<sup>th</sup> regular council meeting.

During Old Business Heth mentioned the availability of a “Your Speed Is” sign that simply attaches to a speed limit sign. Heth felt this would be beneficial on Gilbertville Road. Mayor Swope will look into this. Smock would prefer speeding tickets be issued not warnings. Mayor Swope will check into the possibility of getting cameras. Resident Tim Ratchford, 315 Gilbertville Road, felt the City could use cameras. Resident Gene Edler, 424 Gilbertville Road, mentioned some cameras are capable of capturing a driver's image and tickets the driver.

During new business Mayor Swope noted City Building Inspector Ed Winstead's passing and his fifty-one years of faithful service to the City. He will be greatly missed. Mayor Swope informed the council Brian Wirtz, Evansdale's Building Inspector has agreed to be Elk Run's Building Inspector. Heth referred to the quote for the new city truck and questioned why only one bid was received. Mayor Swope explained time had elapsed to have bid in for the grant. Tom will get more bids. Mayor Swope shared the emergency water main break on Elk Run Road on Monday. He ask for the council's approval to dig up and replace the water main on the corner of Gilbertville Road and Elk Run Street at a cost of \$5,000.00. This is a problem area in town and needs to be addressed. Heth questioned the cost per breakage. City Clerk Lundy replied each time this main breaks the cost is \$1,000.00. Mike noted the \$5,000.00 is not out of line. Mayor Swope would like to have this fixed before winter. Council agreed.

Bass/Heth motion to adjourn at 9:16 p.m. Ayes – 5. Motion carried.

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Tim Swope, Sr., Mayor

ATTEST:

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Kristi Lundy, CMC, City Clerk