

City of Elk Run Heights
Regular Council Meeting
Eddis Winstead Council Chambers
November 12, 2019 – 7:00 p.m.

Mayor Swope, Sr. called the meeting to order at 7:00 pm. All present recited the Pledge of Allegiance. Roll call of Council Members: Present – Bass, Schellhorn, Smock, Ratchford. Wilson absent. Quorum present. Ratchford/Schellhorn to approve the November 12, 2019 agenda. Ayes-Four. Motion carried.

Ratchford/Bass motion to approve the following items on the November 12, 2019 consent Agenda excluding October 8, 2019 Regular Meeting Minutes. a. Approve the October 2, 2019 special meeting minutes, October 8, 2019 regular meeting minutes, October 30, 2019 special meeting minutes. b. City Clerk's Investment Report as of October 30, 2019. c. Approval of Building inspection, Library and Police Department Reports. d. Liquor License Renewal: Junie's Restaurant – LC0033580 – Effective 11/17/19. Roll call vote: Ayes-Four.

Ratchford/Bass to approve October 8, 2019 Regular Meeting Minutes as amended by correcting the passage requesting for homeowner to be reimbursed for damage to water pipe in their yard due to City employee pushing the pipe back down into the ground. And by correcting the passage congratulating the Parks Committee for being rewarded the \$75,000 REAP Grant for the Parks beautification of Elk Run Creek. Roll call vote: Ayes-Four.

Ratchford/Smock to approve resolution 2974 authorizing the payment of bills and transfers. Roll vote: Ayes-Four.

Ratchford/Schellhorn to approve resolution 2975 approving change order #3 in the amount of \$1,575.00 to Baker Construction for the Gilbertville Road Water Main Improvement Project. Councilor Ratchford asked if this amount was a change if this would mean more payments. City Engineer Dryden responded this is a change and will be the last pay request, the final payment of the retainage fees will be next month. Dryden continued to explain that the change order was for an additional half mile of seeding and for putting rock down in a resident's driveway. Roll call vote: Ayes-Four.

Bass/Ratchford to approve resolution 2976 approving pay request #3 in the amount of \$8,360.00 to Baker Construction for the Gilbertville Road Water Main Improvement Project. Roll call vote: Ayes-Four.

Ratchford/Smock to approve resolution 2977 approving the Law Enforcement 28E Agreement with the City of Evansdale. City Clerk Eastman explained that the agreement is for this fiscal year and that it had been budgeted but had never been signed. Roll call vote: Ayes-Four.

Ratchford/Bass to approve resolution 2978 approving transfer of funds from LOST to Road Use for culvert repairs at 303 Gilbertville Rd., Plaza Dr. and Gilbertville Rd. intersection. Roll call vote: Ayes-Four.

Ratchford/Smock to approve resolution 2979 approving compensation for Brian Wirtz for Building Inspector position. Mayor Swope asked the City Clerk Eastman to explain why this is on the Agenda. Eastman explained a resolution had not been done in 2015 or 2016 at the time of hiring Brian Wirtz for the Building Inspector position or for setting his compensation. Roll call vote: Ayes-Four.

Ratchford/Smock to approve request from City Clerk to purchase computer for Deputy Clerk in an amount not to exceed \$1,316.50. City Clerk Eastman explained that the computer that will be replaced has an

operating system that is going to become obsolete and that the first year will include the licensing for software already in use. Ayes-Four. Motion carried.

Bass/Smock to approve request from Mayor Swope to enter into agreement with Ament Design to provide design services for the trail, bridge, and wetlands delineation of Elk Run Creek in an amount of \$47,800.00. Councilor Bass asked the City Engineer Mike Dryden if Ament will be doing the design stages but not overseeing the project. Dryden explained that about half of the engineer work would be through them. Councilor Smock asked if we will still be on track with the grant. Dryden responded yes. Ayes-Four. Motion Carried.

Smock/Ratchford to approve request from Mayor Swope to enter into agreement with AHTS Architects for the proposed design services and coordination to complete the REAP grant funding requirements not to exceed \$4,850.00. Councilor Smock asked Mike to speak to it. Architect Mike explained that the grant is for cleaning of the creek and for AHTS Architects to administer whatever design services they offer. Ayes-Four. Motion Carried.

Smock/Ratchford motion to table agenda line number 15: Request for Mayor Swope to enter into agreement with AHTS Architects for the design services for the Dog Park, Disc Golf, Veterans Memorial Park and Bathroom & Shelter Plans not to exceed \$14,000.00. Ayes-Four. Motion Carried.

Discussion: Nonpayment of taxes on stipends from 2013 through 2018. Ratchford ask City Clerk Eastman if she had the opportunity to contact the IRS or the State. Eastman stated she had attempted to reach the Iowa Department of Revenue and the IRS but have not made contact yet but will follow up and get some answers.

Ratchford/Smock motion to table the discussion on the Ash Tree update. Ayes-Four. Motion Carried.

Discussion: Changing regular meeting time from 7:00 p.m. to 6:00 p.m. After council discussion it was agreed to keep regular meeting time of 7:00 p.m.

Discussion: Wastewater Treatment Plant Update. Mayor Swope discussed the drawing of the current Wastewater Treatment Plant he had passed around. City Clerk Eastman stated there was an attachment to the agenda regarding the progress of the project.

Discussion: Updates to the Elk Run Heights Municipal Code. City Clerk Eastman explained that sample A – shows a typical table of contents and the order for the upcoming code book. Eastman went on to explain that page 14/16 – What is the term of the City Clerk, one or two years; needs to be decided and that there was previously no section in the code defining this. Councilor Smock indicated that it is common practice to (re)appoint the City Clerk on the year of elections. A resident asked what the reappointment would be based upon. Councilor Smock stated that reappointment would be based upon job evaluations and job performance. Eastman continued onto page 18-1 – this chapter will be deleted, the tax expired in 2005. The City does not have authority to adopt a tax by ordinance. Councilors agreed to delete this chapter. Next on page 49-1 – the

surveillance chapter is a City process; does the City want this chapter included or omitted. Councilors agreed to include this chapter but update the information.

Public discussion: Non-agenda items: A resident from Gilbertville Road thanked Council for fixing the ditch in front of his home, but then asked why his neighbor to the north did not get their ditch done. Swope stated he has tried to get it taken care of and would like to have Veracity Excavating handle it. The resident stated they did a really good job. Another resident stated they have an issue walking their dog on Gilbertville Road due to the fact there is no shoulder. Mayor Swope responded this is part of a 5-year plan and is intended to be addressed in the next few years.

Mayors/Council/Engineer Reports: City Clerk Eastman addressed council about setting up a date to have a personnel policy workshop. It was agreed to hold workshop at 6:00 p.m. before the next council meeting on December 10th. Mayor Swope thanked Arlan Schellhorn for serving on council and serving our community.

Ratchford/Schellhorn motion to adjourn at 7:37 p.m. Ayes-Four. Motion carried.

Attest:

Tim Swope, Sr., Mayor

Julie Eastman, City Clerk