

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

Heth/Smock motion to accept the following items on the Consent Agenda: approving the November 10, 2015 regular council meeting minutes, accept the City Clerk's Reports, Investment Report, the Revenue and Expenditure Reports as of November 30, 2015 as presented. Roll call: Ayes – 5.

Bass questioned the Twin Oaks Tree Service bill for \$900.00. Mayor Swope explained it was for removal of a dead tree on city property and he had gotten three bids; Twin Oaks was the low bid. Bass/Smock motion to approve Resolution 2778 approving and authorizing the payment of city bills. Roll call: Ayes – 5. Motion carried.

During Public Input resident Gene Edler, 424 Gilbertville Road, thanked the mayor and council for cleaning out the ditch on Gilbertville Road, stating it looks nice.

City Engineer Mike Dryden reported the Plaza Drive Project is completed. Mike is working on resolving the traffic signal issue. Elk Ridge Estate Project is almost complete. Bass questioned if the Plaza Drive project was on budget. Mike replied the project is on budget; however, there is one change order for the satisfaction of the DOT.

Heth/Bass motion to approve Resolution 2779 authorizing pay estimate #1 to Frickson Brothers Excavating, 737 Colleen Avenue, Evansdale, for the Elk Ridge Estates Improvement in the amount of \$86,216.44. Roll Call: Ayes – 5. Motion carried. City Attorney Prendergast questioned if this payment is for the sewer and water. Mike Dryden replied yes.

City Attorney Heather Prendergast updated the council on the former Raymond Road Trailer Court litigation stating no closed session was necessary at this time. City Attorney Prendergast added the litigation could be reviewed in February or March 2016.

Mayor Swope and council reviewed the Snow Removal Policy. Wilson explained he wrote the policy by using examples from other towns. Smock thought it looked clear. Bass questioned if both trucks used every time. Mayor Swope replied yes, if it is a heavy snow Tom James has been ordered to call Larry Frost in to help. Heideman mentioned residents were happy with the plowing last year. Mayor Swope added having two plows gets it done in half the time. Mayor Swope ask Tom James not to spend time pushing back corners enabling faster plowing and less destruction to city/resident properties. Smock/Bass motion to approve the Snow Removal Policy as presented. Ayes – 5. Motion carried.

Mayor Swope and council reviewed the Personnel Policy. Heth and Smock worked on this over the past year. Heth questioned if City Clerk Lundy had gotten feedback IMWCA. City Clerk Lundy replied no but when it is finalized they have offered to review it at no expense. Discussion was held on the new policy of PTO time and the benefits of transitioning to this type of time keeping. City Clerk Lundy and Mayor Swope were unclear on some of the new policies. There were areas of difference among council members. Heth suggested tabling further discussion so that he may make some additional corrections.

Heth and Smock agreed the employee evaluations steps need to be achieved and expectations met for yearly raises. Bass expressed concern regarding firearms on city property. City Attorney Prendergast will check into this. Mayor Swope addressed bereavement regarding relatives. Heth will make corrections. Mayor Swope suggested a special meeting to finalize the personnel policy. City Clerk Lundy ask council if January 5, 2015 at 6:00 p.m. would be agreeable. Council agreed. Bass/Smock to table personnel policy review but approve the employee evaluation section of policy. Ayes – 5. Motion carried.

Mayor Swope and council reviewed the Nuisance Ordinance. Heth highlighted his areas of concern. Concerns were shared on clauses regarding storage of campers, trailers and recreation vehicles. City Clerk Lundy referred to the Covenants set for the Elk Ridge Estates where the council discussed extensively and that they should be similar. City Attorney Prendergast mentioned she had given the city sample ordinance for this, adding this is odd under a Nuisance Ordinance. City Clerk Lundy questioned if this should be separate and suggested preparing a parking ordinance. Changes will be made and the council will review again next month.

Mayor Swope and council reviewed the Abandoned, Inoperable and Junk Vehicle Ordinance. Smock confirmed that trailers were included in this ordinance. Bass' concern was for vehicle hobbyists. Heth felt if stored in a building there would be no problem. Council gave its approval. City Clerk Lundy will prepare the Ordinance for next month's meeting.

Discussion was held on the purchase of a new truck, Mayor Swope explained he had previously gotten a quote from Rydell Chevrolet and recently gotten a quote from Witham Auto Center. Mayor Swope stated a grant from the Black Hawk County Gaming Association for \$12,000.00 for the truck is forthcoming. Council reviewed the two bids and questioned the trade-in value. Mayor Swope was not sure of that information. Tom James has gotten a price for the tool box, liner and light which would be an extra \$1,000.00. Heth mentioned the Rydell quote lists more extras than the basics listed on the Witham quote. Mayor Swope ask for council approval. City Clerk Lundy will put a resolution on next month's regular meeting for the purchase of the truck. Mayor Swope will clarify the color is red in the quote. Resident and newly elected councilman Tim Ratchford thought the prices had few differences. Smock wants both quotes to include the same things. Mayor Swope will get further information so that the council can compare apples-to-apples.

Mayor Swope informed the council he had hired a part-time Building Inspector today. City Attorney Prendergast questioned if a contract is involved. City Clerk Lundy replied no, he will be hired as an employee. His fee will remain the same as it was for Ed Winstead. City Attorney Prendergast advised council to make sure he knows there are no benefits included and he is aware of the personnel policy. City Clerk Lundy will have City Attorney Prendergast review the Personnel Policy Book when it is completed.

The Elk Run Suspension Bridge repair was discussed; Mayor Swope has sent the City of Evansdale a proposal offer to take full ownership of the bridge. City Attorney Prendergast received an email from Evansdale's attorney who mentioned Elk Run Heights leasing the bridge from Evansdale. City Attorney Prendergast ask if the bridge is only a pedestrian bridge. Mayor Swope replied yes. City Clerk Lundy stressed this is Elk Run Height's bridge. She explained the bridge was built in the summer of 1961 by a planning commission of Elk Run residents and led by Warren Schake a long time resident. The bridge is goes over Elk Run creek. The bridge had always been 100% in the city of Elk Run Heights until 2007

when the Community Development Board came in and changed the boundary to follow the creek. This changed the ownership to 65% Elk Run and 35% Evansdale. Smock mentioned Mike Dryden has deemed the bridge safe adding Evansdale has closed off their end. Resident Al Cross, 434 Amber Lane, agrees with Tom James fixing the bridge and the yearly \$1.00 lease. City Clerk Lundy confirmed Evansdale has determined the cost to repair the bridge will be \$18,000.00. City Engineer Dryden's report established the needed repairs and Tom James is capable of making them. City Attorney Prendergast suggested she send Evansdale an e-mail stating Elk Run Height's intention to fix and lease the bridge

Mayor Swope gave his monthly report, noting the new picture of himself receiving the tennis court Grant, adding the city has been approved for another Grant from the Black Hawk County Gaming Association for the new truck. Mayor Swope recognized Wilson for painting the Pickelball Court. Wilson added he got to play once and then it snowed. City Clerk Lundy suggested Wilson give lessons.

During old business Heth mentioned reading about a speed camera which could capture a picture of a speeding driver either coming or going.

During New Business Smock ask the council to consider paying Jamie Eder time and a half for holidays as he gets no benefits, she also ask to make this retroactive for 2015. City Clerk Lundy thought this should be in the Employee Policy Book adding Jamie works on average twenty hours a week. Ratchford ask how many paid holidays the employees receive. City Clerk Lundy replied eleven. Bass questioned if applicable to all part-time employees. Ratchford replied yes. City Clerk Lundy will place this on the January agenda. Heth questioned the non-compliance letter from the IADNR. Mayor Swope assured council Mark Christianson will be taking the test to obtain his Grade 3 Waste Water Certificate again Friday. City Clerk Lundy commented the city had two bad water samples. Mayor Swope explained the city repeated the test which came back negative. He thought possibly the bottles were contaminated. City Clerk Lundy stated residents have to be notified by direct mail and that notification has to be published in the Courier. Mayor Swope mentioned next week's sewer meeting on Tuesday the 15th. Mayor Swope gave Councilman Dean Heideman a certificate and thanked him for his service to the city.

Wilson/Heth motion to adjourn at 9:04 p.m. Ayes – 5. Motion carried.

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Tim Swope, Sr., Mayor

ATTEST:

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Kristi Lundy, CMC, City Clerk