

City of Elk Run Heights
Regular Council Meeting
Eddis Winstead Council Chambers
December 10, 2019 – 7:00 p.m.

Amended

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, Bass and Wilson. Quorum present.

Ratchford/Wilson to approve December 10, 2019 Agenda. Ayes-Five. Motion carried.

Ratchford/Schellhorn to approve the following items on the December 10, 2019 consent agenda
a. Approve the November 12, 2019 regular meeting minutes as amended by b. City Clerk's Reports as of October 31, 2019 and November 30, 2019: Budget Report, Treasurer's Report, Fund Report, Revenue and Expenditure Reports and Investment Report c. Approval of Building Inspection, Library and Police Department reports. Roll call vote: Ayes-Five.

Wilson/Ratchford to approve resolution 2979 authorizing the payment of bills and transfer. Roll call vote: Ayes-Five.

Ratchford/Wilson to approve resolution 2980 approving the final pay request in the amount of \$7,860.85 to Baker Construction for the Gilbertville Road Water Main Improvement Project. Councilor Ratchford questioned if this is truly the final payment. Engineer Mike Dryden explained, next month the council will approve the final assessment and certify the liens on the properties and eventually start collecting the assessments. Roll call vote: Ayes-Five.

Ratchford/Smock to approve resolution 2981 authorizing the Mayor to sign a lease addendum with the City of Evansdale for the portion of land abutting Mayor's Park. Roll call vote: Ayes-Five.

Ratchford/Wilson to approve resolution 2982 approving the revised personnel policy with revisions. Roll call vote: Ayes-Five.

Smock/Wilson to approve resolution 2983 authorizing the Mayor to sign a contract with PeopleService, Inc. to provide all routine operation and maintenance of water and wastewater services. Due to concerns about the length of the contract; 5 years, Heath Draeger from PeopleService, presented a counteroffer: a 5 year contract with the option to exit with a written notice during the second year but 90 days before the end of the second year and with automatic renewal for successive terms of one year thereafter. Mayor Vick of Raymond gave his approval. Councilor Schellhorn and Councilor Smock both indicated that the intent of this service is long term and expressed approval of this counteroffer. Councilor Ratchford wanted clarification on the price of the contract due to counteroffer. Heath confirmed the price of \$11,700 plus \$1,000 maintenance, is locked in for a term of 5 years regardless of the counteroffer presented but will increase due to the CPI plus 1%, which is stated in the contract. Mayor Swope inquired about the 1%. Heath responded that there is an operator shortage in this industry and the 1% is a way to combat the shortage and contributes to wage increases. Prendergast questioned the portion of the contract on maintenance and repair. Schellhorn questioned if the city would be receiving statements for chemicals, treatments, supplies, and things like such. Ratchford asked if the price of the contract included the price of chemicals and treatments. Heath stated the price included all

the previous. Ratchford reemphasized that there will be no invoice but a statement of a flat fee. Heath responded, yes. Heath explained whatever is not expended out of the maintenance/repair budget at the end of the year would be refunded to the city. Councilor Bass questioned if the city would be able to renegotiate the contract for expenditures once the new wastewater plant is running due to the idea that it should cost less to run a new plant. Heath explained, with a new plant the cost of some things may go down however the DNR will typically add additional testing resulting in the same cost or slightly higher costs. Schellhorn asked if there is a comparison of monthly costs between PeopleService and doing it in house. Vick stated that with the current sewer budget it is roughly \$28,000 per year savings between both cities. Ratchford asked Heath if there will be a certified PeopleService employee assigned to this plant. Heath said it is required to have one operator who will be assigned to the plant, live in the area and have cross training. Smock expressed her comfort in moving forward with this contract. Vick stated he has contacted surrounding cities who contract with People Services and assures the city employees are satisfied with their services. Heath proceeded with additional benefits of hiring PeopleService: 24 hour on-call services, a large network of community that they work with in the state of Iowa, with that brings broader range of experience with a variety of different types of wastewater plants, they supply computers, cell phones, and consumable supplies, vehicles, insurance, wages, benefits, computer workorder system, there will be a monthly packet provided to the city with chemical budget updates – will include dollar amounts spent on chemicals and any updates or changes with operations at the treatment plant, GIS mapping with utilities, sludge removal. They do meter reads, waterline repair, utility billing (optional), plant maintenance, repairs, cleaning, chemical treatments, operations training and more. Roll call vote: Ayes-three. Nays-two (Ratchford, Schellhorn).

Wilson/Ratchford to approve request for Mayor to sign Memorandum of Understanding for INRCOG to prepare a Land and Water Conservation Fund application for the City of Elk Run Heights. Councilor Smock explained it is a 50% grant and the money will be used for the bathroom and possibly a shelter. Ayes-Five. Motion carried.

Ratchford/Smock to approve FY19 Annual Finance Report. Ayes-Five. Motion carried.

Wilson/Ratchford to approve FY19 Urban Renewal Report. Ayes-Five. Motion carried.

Ratchford/Bass to approve Ordinance 263 amending Article IV Speed Regulations, by changing chapter 10.04.170 twenty-five miles per hour – streets designated; Chapter 10.04.185 Gilbertville Road; and amending Article V turning movements by changing chapter 10.04.190, turning markers, buttons and signs. Roll call vote: Ayes-Five.

Wilson/Ratchford motion to suspend requirement for two (2) subsequent readings and adopt Ordinance 263. Roll call vote: Ayes-Five.

Ratchford/Schellhorn motion to adopt Ordinance 263. Roll call vote: Ayes-Five.

Ratchford/Wilson to approve amendment of covenants and restrictions for Elk Run Third addition Lot 1 and Lot 2. City Attorney Prendergast asked if the primary concern was paragraph 6 stating that all dwellings need to have a full basement under the living area. Council responded yes. Councilor Ratchford stated he has zero issues with this amendment. Councilor Smock indicated that she had talked to a few residents in the surrounding area and it was expressed they did not have any issues with removing these requirements. Ayes-Five. Motion carried.

Ratchford/Schellhorn approve to enter into agreement with AHTS Architects for the design services for the Dog Park, Disc Golf, Veterans Memorial Park and Bathroom and Shelter Plans. Councilor Smock explained that she has been to the Evansdale Park Board and said they have put the money in their budget for this year to pay for \$2,000 of the design fee. Smock stated Evansdale is in support but not responsible for paying for the Dog Park but there will be fund raising for it. Smock is asking for \$500 Dog Park, \$1,000 for the Disc Golf for design, no money for the bathroom and shelter yet of working on a grant, and \$600 for the memorial area for a primary plan. Bass asked when the money will be needed. Smock stated, out of this budget. Ayes-Five. Motion carried.

Discussion: Ash Tree update: Councilor Wilson stated that there is no grant or funding for residents but was provided with a couple of different options in resolving the issue. 1. Obtain a bid from an arborist and split among residents. 2. Consider the trees a nuisance, the city would cut it down and have it assessed to the owner's property taxes. 3. Volunteer group or partnering with Habitat for Humanity to help with those who cannot afford it. Councilor Schellhorn mentioned that in the city code there is a chapter on trees that were affect by Dutch Elm Disease and the city should consider adding ash trees to that chapter. Wilson said that he would keep working on a solution for springtime.

Discussion: Reviewing Iowa State Code Chapters 45 and 376 and possibly updating the Elk Run Heights elections process in the codification process. After comparing the two chapters it was decided among Council to remain with Chapter 45. Ayes-Five. Motion carried.

Smock/Bass motion to table the discussion on updates to the Elk Run Heights Municipal Code. Ayes-Five. Motion carried.

Mayors/Council/Engineer Reports: Councilor Smock asked the council is they would be willing to change the council meetings to 6:00 so City Attorney Prendergast can be at more meetings. It was agreed to add to the next agenda as an action item. Smock then recognized Councilor Schellhorn and Mayor Swope for the service they provided to the City. City Engineer Mike Dryden stated they will be surveying for the trail tomorrow. Mayor Swope acknowledged Councilman Schellhorn for all he has done for the City.

Bass/Ratchford motion to adjourn at 8:40 p.m. Ayes-Five. Motion carried.

Attest:

Tim Swope, Sr., Mayor

Julie Eastman, City Clerk