

City of Elk Run Heights
Regular Council Meeting
Eddis Winstead Council Chambers
December 13, 2016 - 7:00 p. m.

Mayor Swope called the meeting to order at 7:04 pm. All present recited the pledge of Allegiance. Roll call of Council Members: Present – Ratchford, Wilson, Smock, Heth and Bass. Quorum present. Wilson/Ratchford motion to approve the December 13, 2016 Agenda. Ayes – 5. Motion carried.

Smock/Heth motion to accept the Consent Agenda approving the November 8, 2016 regular council meeting minutes, accept the City Clerk's Report, Investment Report, the Revenue and Expenditure Reports as of November 31, 2016 as presented, approve Resolution 2829 approving and authorizing the payment of city bills, approve Resolution 2830 a Resolution authorizing the transfer of certain monies as out layed and authorizing the Clerk to make the transfers to Debt Service for the Bond Payment: \$266,158.19 from the Plaza Drive Capital Project to Debt Service, \$210,000.00 from Local Option Sales Tax to Debt Service, \$10,059.66 from Capital Improvement to Debt Service, \$24,315.48 from General Fund to Debt Service, approve the Building Inspector's November 2016 monthly report. Roll Call: Ayes – 5. Motion carried.

City Engineer Mike Dryden had no report; he gave council a copy of the Preliminary Engineer's Opinion of Anticipated Construction Cost for Lafayette Road/Gilbertville Roads - Flat top Speed Hump. Mike stated the hump would be twenty-two feet in length and three inches in height. Smock ask for this to be discussed at the upcoming budget meeting. Ratchford spoke to the Waterloo Fire Department regarding humps and they are against humps due to damage to their equipment.

City Attorney David Hosack had no update on the purchase of real property.

Council discussed the Lafayette Road extension, Mayor Swope explained he had a request from the buyer of Lot 9 in the Elk Ridge Estates if the blacktop road could be widened and tapered to allow easier access to his lot. Also there is a possibility a relative of same buyer could purchase Lot 10. Ratchford thought this could easily be done by curving of the culvert, adding need to get prices for this. Bass felt this request should have been made before buying the lot. Ratchford feels the City should do this - as high dollar home, Smock agreed.

Mayor Swope opened the Public Hearing on the sale of City owned real property Lot 9 in the Elk Ridge Estates First Addition at 7:10 p.m. City Clerk Kristi Lundy noted proof of publication was on file and there were no other proposals and no written comments. Mayor Swope ask those in attendance if there were any comments. There were no vocal comments. Ratchford/Wilson motion to close the Public Hearing at 7:13 p.m. Ayes – 5. Motion carried.

Bass/Ratchford motion to approve Resolution 2831 approving the sale of certain real property currently owned by the City and situated in the Urban Renewal Area on Lot 9 of the Elk Ridge Estates at 5340 Lafayette Road to LaVern L. Gage and Teresa M. Anderson. Roll call: Ayes – 5. Motion carried.

Mayor Swope opened the Public Hearing regarding Ordinance 242, an Ordinance Amending the Code of Ordinances of the City of Elk Run Heights, Iowa to add a new Chapter 10.26 – All Terrain Vehicles at 7:16 p.m... City Clerk Kristi Lundy noted proof of publication was on file and there were no written comments. Mayor Swope ask those in attendance if there were any comments. There were no vocal comments. Wilson/Ratchford motion to close the Public Hearing at 7:18 p.m. Ayes – 5. Motion carried.

Ratchford/Wilson motion to approve the first reading of Ordinance 242. Roll call: Ayes – Wilson, Bass, Ratchford, Smock. Naves – Heth. Motion carried.

Ratchford/Wilson motion to suspend the rules requiring the second and third readings and place on file final adoption of Ordinance 242. Roll call: Ayes – Ratchford, Wilson, Bass. Naves – Heth, Smock. As advised by City Attorney Hosack the ordinance needs a super majority vote to pass. Motion dies.

Ratchford/Smock motion to open the Public Hearing regarding Ordinance 243, an Ordinance Amending the Code of Ordinances of the City of Elk Run Heights, Iowa to add a new Chapter 10.28 – Golf Carts at 7:20 p.m.. Ayes – 5. Motion carried. City Clerk Kristi Lundy noted proof of publication was on file and there were no written comments. Mayor Swope ask those in attendance if there were any comments. There were no vocal comments. Ratchford/Wilson motion to close the Public Hearing at 7:22 p.m. Ayes – 5. Motion carried. City Attorney Hosack noted the blank line in the Ordinance that referred to the streets golf carts should not be allowed. Council agreed to leave as blank for now.

Ratchford/Heth motion to approve the first reading of Ordinance 243. Ayes – 5. Motion carried.

Ratchford/Wilson motion to suspend the rules requiring the second and third readings and place on file final adoption of Ordinance 243. Ayes – Ratchford, Wilson, Bass. Naves – Heth, Smock. As previously advised by City Attorney Hosack motion died

Heth/Ratchford opened the Public Hearing regarding Ordinance 244, an Ordinance Amending Chapter 10.08 through Streets, Stop Intersections and Yield Signs with the addition of a 4-way stop at the intersection of Gilbertville Road and Marie Avenue at 7:23 p.m. City Clerk Kristi Lundy noted proof of publication was on file and there were no written comments. Resident Terry Hertges, 303 Gilbertville Road, expressed her objection to stop signs on Gilbertville, she is okay with Amber Lane stop and husband agrees. She also does not like the trucks on Gilbertville. Smock mentioned residents she has communicated with do not like the stop signs and she has had a lot of push back. Mayor Swope had three people come in City Hall recently who are against the stop signs but for the speed humps. Resident Darrell Parmer, 223 Elk Run Street, opposes the stop signs but is for flashing red lights. Darrell feels the traffic on his street is getting faster. Smock prefers the octagon flashing light on Amber Lane. Wilson stated cost is \$1,300.00. Ratchford does not think this will work and thought Evansdale Police should start writing tickets on trucks. Mayor Swope thought the stop signs may not be permanent. Heth stated in his research stop signs are not effective. Smock noted drivers speed up to the stop signs. Resident Al Cross feels Gilbertville is a thru street and should be 30 mph, now drivers will have to stop five times to get thru the City. Smock thought Amber Lane would be the first stop sign. Wilson agrees with Smock regarding the flashing red octagon lights. Mayor Swope thinks it is best to increase

Evansdale Police contract in coming budget, Wilson agreed. Terry Hertges noted first stop sign is only two blocks from Casey's stop sign. City clerk Lundy thought drivers will use other City roads to avoid Gilbertville. Mayor Swope mentioned a small flashing light mounted on a pole is \$130.00. Bass is worried about children getting on/off buses. Bass questioned why this could not be done tonight. City Attorney Hosack stated Ordinance 244 needed a Public Notice due to four-way stop; a three-way stop does not but must be on the Agenda which it was not. City clerk Lundy will put on the January Agenda. Heth/Bass motion to close the Public Hearing at 7:50 p.m. Ayes – 5. Motion carried.

Bass/Heth motion to approve the first reading of Ordinance 244. Ayes – Wilson, Bass, Smock, Heth. Nays - Ratchford. Motion carried.

Bass/Ratchford motion to suspend the rules requiring the second and third readings and place on file final adoption of Ordinance 244. Ayes - Bass, Wilson, Smock, Heth. Nays - Ratchford. Motion carried.

Bass/Heth motion to adopt Ordinance 244. Roll call: Ayes – Bass, Heth, Wilson, Smock. Nays – Ratchford. Motion carried.

Heth/Bass motion to post Ordinance 244 instead of publish as allowed per Chapter 1.16.020; Public posting in lieu of publication. Roll call: Ayes - 5. Motion carried.

Council discussed increasing the speed limit on Lafayette Road. Mayor Swope asked if an Ordinance was needed for changing the speed limit. City clerk Lundy replied yes. Heth questioned just to change one street. Ratchford ask if six mph over equals a ticket. Mayor Swope noted this needs to be discussed with Chief Jensen. Council agreed to 30 mph on Lafayette Road. Resident Terry Hertges, 303 Gilbertville Road, expressed confusion over raising the limit on Lafayette and multiple stop signs on Gilbertville. Heth/Smock motion to set the Public Hearing for January 10th. Ayes – 5. Motion carried. Bass ask for a Resolution for Amber Lane three-way stop be put on January 10th Agenda and inform all residents first with a newsletter of this and the All-Terrain/Golf Carts. Terry Hertges questioned why put posts in so early. Mayor Swope explained the ground would be frozen later. Smock felt there needed to be more notification to residents. Bass felt this was discussed to a “full house” at the last council meeting.

Council discussed two regular monthly meetings instead of one. Wilson noted many other cities doing this, could schedule it anyway. City clerk Lundy stressed if a regular monthly meeting is scheduled then must take place. Ratchford suggested one meeting and a special meeting when needed. The cost for two monthly meetings would be expensive. Heth felt if meetings planned more residents would likely attend. Smock suggested the second meeting of the month could be spent on future planning of streets and long term goals. Mayor Swope noted busy months are forthcoming and there may be a need for a second meeting. Bass mention the Waste Water Treatment Plant Project discussions are coming. City clerk Lundy ask council if second meeting should be fourth Tuesday of each month. Council agreed. Wilson/Smock motion to approve the addition of a second regular council meeting set for the fourth Tuesday of every month. Ayes – 5. Motion carried. City clerk Lundy set January dates for regular council meeting January 10th at 7:00 p.m., Budget Workshop meeting January 17th at 6:00 p.m., second council meeting January 24th at 7:00 p.m.

Mayor Swope gave his monthly report, stating the Elk Ridge Estates new addition is moving quickly. Ratchford questioned if the blacktop would be addressed. City Engineer Dryden explained it would be mid May before this could be done.

During New Business Wilson ask if the farm property on Plaza Drive and Dubuque Road is for sale or sold and would the City look at it. Ratchford replied no, it is twenty-nine acres and the cost could be half a million. Mayor Swope would prefer it not remain a farm and be developed into residential neighborhoods . Resident Mark Brown, 105 Elk Run Street, thought the All-Terrain Ordinance would be passed tonight. He ask council for an official letter when and if the All-Terrain was passed allowing him to meet with the City of Raymond and the City of Evansdale for use between the cities and have consistent stickers. City Attorney Hosack stressed this needs to be done by elected officials. Mark mentioned Raymond passed this in one meeting and Evansdale passed the golf carts in one meeting.

Heth/Smock motion to adjourn at 8:25p.m. Ayes – 5. Motion carried.

Tim Swope, Sr., Mayor

ATTEST:

Kristi Lundy, CMC, City Clerk