

Ely City Council Proceedings

The City Council Meeting met in person, online over ZOOM Platform, and Facebook on October 3, 2022, as allowed by Section 21.8 of Iowa Code. Officials present at City Hall in person were Mayor Eldy Miller; Council Members William Tuthill, Judy Wery, Ben Symonds, Dan Whitaker, and Mark Becicka were present for the meeting. Mayor Eldy Miller called the Public Works & Wastewater Treatment Facility Tour/council meeting to order at 6:00 pm by roll call/Pledge of Allegiance.

Tour of Public Works and the Wastewater Treatment Facility started at 6:00 pm and ended at 6:45 pm to give time to return to City Hall by 7:00 pm for the City Council Meeting. In attendance were City Admin Thompson, Mayor Miller, Council persons Wery, Whitaker, Symonds and Becicka. Council person Tuthill was unable to attend the tour.

Mayor Miller called the Meeting to order at 7:04 pm by roll call/Pledge of Allegiance.

The following claims include expenses for the city, Park Board and Library:

ABC DISPOSAL SYSTEMS, COMPOST CLEANOUT	912.36
AIRGAS USA LLC, CYLINDER RENTAL	81.01
ALLIANT, ELECTRIC	8,655.06
AMAZON, LIB MEDIA BOOKS	394.18
AMBER WOLRAB, PW YOGA	75.00
BAKER & TAYLOR, LIBRARY BOOKS	1,469.76
BILL HERRIGAN, CHILI DINNER SUPPLIES	84.20
BRENNAN HALL, REIMBURSEMENT GAS	20.97
CALLIE STULZ-O'BRIEN, REIMBURSEMENT GAS & PUMPKINS	653.50
CASEY'S BUSINESS MASTERCARD, FUEL TRUCKS MOWERS	259.88
CKENDALL CONSULTING LLC, CLERK CONSULTING	2,147.77
COLONIAL LIFE INSURANCE, ACCIDENTAL INS	38.02
THE COMPANY STORE, FALL FEST SHIRTS	1,089.10
CARDMEMBER SERVICES, LIBRARY CREDIT CARD	816.18
DELTA DENTAL, DENTAL- PRE-TAX	401.64
EFTPS, FED/FICA TAX	7,290.85
EVAN MILLER, FLAG FOOTBALL REFEREE	15.00
THE HARTFORD GROUP BENEFITS, STD -SHORT TERM	476.93
ION ENVIRONMENTAL SOLUTIONS LL, WATER & WASTE H2O TEST	1,237.00
IOWA STORMWATER ED. PART, ISWEP MEMBERSHIP RENEWAL	795.00
IPERS, RETIREMENT FUNDS	8,828.59
JOHN TERPKOSH, TENNIS GRANT	1,000.00
KELSIE HOGAN, REIMBURSEMENT COMM CTR R	100.00
KIRACOFE OIL CO, DIESEL FUEL	718.20
LINCOLNWAY CUSTOM GOLF CARS, FALL FEST GOLF CART	65.00
LIVING CHARACTERS, FALL FEST BALLON TWISTING	300.00
LYNCH DALLAS P.C., LEGAL SERVICES	502.11
OFFICE EXPRESS, C.H. OPERATING SUPPLIES	165.27
ON THE RUN RACE TIMING, FALL FEST 5K CHIP TIMING	641.72
US POSTMASTER, POSTAGE ELY EXPRESSION	317.76
LINN COUNTY REC, ELECTRICAL SVC	264.36
RON STARK, REIMBURSEMENT FUEL	72.00
SAFETY SOLUTIONS, CPR CERTIFICATIONS	175.00
STATE WITHHOLDING, STATE TAXES	6,194.00
T MARIE PORTRAITS PHOTO BOOTH, PHOTO BOOTH FALL FEST	475.00
TERMINIX, PEST CONTROL LIB	35.00
THEISEN'S, SUPPLIES	139.99
TOM OSBORN, STRAW BALES FALL FEST	49.00
TRUSTMARK, MED INS- PRE-TX	5,757.38
TRACTOR SUPPLY CO, VEHICLE CLEANING SUPPLIES	132.95
US CELLULAR, GIS TABLET	512.68
VISION SERVICE PLAN, VSP - PRE-TAX	135.50
WM OF CEDAR RAPIDS, REFUSE SERVICES	<u>13,455.13</u>
Accounts Payable Total	66,950.05
Payroll Checks	23,280.20

REPORT TOTAL

90,230.25

September Revenue by Fund: General \$71,205.11; Road Use \$36,509.57; LOST \$37,402.69; TIF \$25,655.78; Debt Service \$15,375.01; Storm 2020 \$870.52; Sewer Trunk \$443,827.48; Water \$29,734.34; Sewer \$49,663.11; Storm Sewer \$1,645.69.

September Expenses by Fund: General \$104,570.62; Road Use \$11,069.40; Employee Benefit \$540.88; Technical Grants \$11,157.66; '22 Old Town Project 462,681.25; Sewer Trunk Ext \$358,134.66; Water \$15,839.96; Sewer \$22,016.30; Storm Sewer \$6,397.86; City Garage \$161.28.

CONSENT AGENDA Minutes from September 19, 2022, Council Meetings; Bills Payable 9/20/22–10/03/22 Totaling \$90,230.25. Motion to approve consent agenda by Symonds, 2nd by Tuthill; All Ayes 5-0, motion carried.

CITY DEPARTMENT REPORTS

Sewer Extension City Administrator gave an update on sewer extension. Encountering a lot of rocks on the boring and taking more time than anticipated.

Southbrook Ordinances vs. Covenants General discussion on ordinances vs. covenants. The cities' authority is limited to what city codes allows us. Covenants are agreements between property owners and the other property owners that live within that addition. Enforcement for covenants are the property owners within that addition. When it comes to fences in the Southbrook the city will issue permits in accordance with city code. The mechanism for those Southbrook residents to enforce would be a civil lawsuit against the property owner who they feel is violating the covenants.

Fall Fest Jaymeson Westphal gave an update on Fall Fest on behalf of Callie Stultz-O'Brien. Thank you for everyone that helped and volunteered and helped to make it a successful event. We welcome comments or suggestions for future Fall Fest events.

COMMUNITY COMMENTS/REQUESTS Jessica Wiskus introduced herself as running for Iowa Senate and attended to give additional information on the proposed C02 Pipeline near Ely. Resident George Wall asked about sidewalk for Banner Valley Road. City Admin Thompson responded that there will be a discussion possibly at the next meeting.

BUSINESS

Public hearing related to an ordinance increasing solid waste rates for the City of Ely. This is a public hearing related to an ordinance increase solid waste rates for the City of Ely. WM vendor rep, Ammon Taylor was present on ZOOM to answer any questions. No Public Comments. Motion to close public hearing by Wery, 2nd by Whitaker. By Roll Call All Ayes 5-0, motion carried.

First reading of an ordinance increasing solid waste rates. The first reading of an ordinance increasing solid waste rates for the City of Ely. Waste Management has executed the option of the agreement to modify rates due to an uncontrollable circumstances and fuel increase of greater than 10%. The increase is approximately 9.0% or less. Light Generation is going from \$16.04 to \$16.29; Standard is going from \$20.28 to \$20.83, and Family is going from \$25.12 to \$25.95. Motion made to approve the first reading of Ordinance 302 as presented Symonds, 2nd by Whitaker. By Roll Call, All Ayes 5-0, motion carried.

Resolution approving the vacation of a vacant utility easement. Presented to council for consideration was a resolution approving the vacation of a vacant utility easement in the Southbrook eighth additional on lots 169, 170, and 171. A request was made by a property owner of lot 169 to vacate the easement. The Planning and Zoning commission reviewed the request on September 12th, 2022 and recommended the vacation of the easement on lots 170 and 171 to eliminate risk of an easement dead-end in the future. All utilities with an interest in this easement have signed off that they have no need for it. No Public Comments. Motion to approve Resolution as written by Whitaker, 2nd by Wery. By Roll Call All Ayes 5-0, motion carried.

Resolution adopting the Statewide Urban Design and Specifications (SUDAS) Standard Specifications (202_ Edition). Presented to council for consideration was a resolution adopting the

Statewide Urban Design and Specifications (SUDAS) Standard Specifications (2022 Edition). The City of Ely has used these design standards for many years but has never officially adopted them as the standard. Staff recommends adopting them at this time and then reviewing local amendments to SUDAS standards in the future. The manual can be viewed and downloaded at iowasudas.org. No Public Comments. Motion to approve Resolution by Tuthill, 2nd by Symonds. By Roll Call All Ayes 5-0, motion carried.

Request to approve plan for North Drive cul-de-sac. Presented to council for consideration was a plan to improve stormwater drainage at the cul-de-sac at the end of North Dr. The City Engineer recommends adding a stormwater intake to capture the water and then discharge it to the creek. Easements from the property owner will be needed. If council approves this plan a bid package will be put together and bids will be received from contractors for the work. Those bids will then be reviewed and a workorder will be awarded by council. \$20,000 is the engineers cost estimate. Funding for this work will come from the road improvement bond 2019. No Public Comments. Motion to approve Resolution as written Becicka, 2nd by Wery. All Ayes 5-0, motion carried.

Request to approve plan for Broadview Court. Presented to council for consideration was a plan to improve the stormwater drainage at the intersection of Broadview Ct. at Dows. Water ponds in this intersection and freezes in the winter causing an unsafe condition. The City Engineer's recommendation is to replace the stormwater intake and replace broken pavement approaching the intake. If council approves this plan a bid package will be put together and bids will be received from contractors for the work. Those bids will then be reviewed and a workorder will be awarded by council. \$16,500 is the engineers cost estimate. Funding for this work will come from the road improvement bond 2019 and other budget sources. No Public Comments. Motion to approve the plan as written by Symonds, 2nd by Becicka. All Ayes 5-0, motion carried.

Discussion wastewater treatment facility repairs and winter operation. Ron Stark, Wastewater Operator, presented and discussed wastewater facility repairs, improvements, and operations. Ron supplied council with a memo prior to the meeting. Ron noted back in 2007, the grounding process was different than it is today regarding the electrical work at the plant. General discussion and no action were needed or taken.

Discussion citywide tree trimming, trail trimming, and public property vegetation grinding. Presented to council for consideration was a request to have city staff complete required tree trimming over public roadways. Staff hopes that if everything can get cut back to the appropriate high, that residents can more easily control and maintain the trimming in the future. Staff also discussed the plan for trail trimming and public property vegetation grinding. Tyler Schurbon of Public Works was present to answer questions. No public comments. Motion to approve request made by Symonds, 2nd by Wery. All Ayes 5-0, motion carried.

Discussion on new plow truck, plow truck temp plan, and winter plow routes. City Administrator and Staff presented information related to the new plow purchase and the plan for equipment until the new truck is in use. New truck probably won't be delivered until 2024. Almost everything has been fixed on the existing plow. We should be able to get through this winter and we will work to get some vendors setup as a backup if any issues should arise. All council members gave their consent 5-0.

Discussion on municipal complex project and survey. City Administrator Thompson gave an update on the project, timeline, and survey. There will be several ways for the residents to complete the survey and eventually will be opened to the general public. Working toward the 2023 Ballot or when it is ready. The committee is planning a Public Q&A Meeting and will be communicated to the public in the next few weeks.

Discussion related to Wolf Carbon Solutions CO2 Pipeline Project. City Administrator presented available information and gather questions to be answered by Wolf Carbon. City Council will ask and collect as much information as possible so they can make decisions how the city will react to both sides/positions. Questions can be directed to City Administrator, Adam Thompson, the mayor or any of the council members.

With no further business being evident, council adjourned the meeting at 9:00 pm. Motion by Symonds, 2nd by Wery. All Ayes 5-0, motion carried.

Luanne R. Miller, Clerk

Eldy Miller, Mayor