

**ELY CITY COUNCIL
REGULAR MEETING
JANUARY 8, 2007
ELY CITY COUNCIL CHAMBERS**

Mayor Dale Stanek called the meeting to order at 7:00 p.m. Council members present: Bob Ballantyne, Mark Banowetz, Kevin Meskimen, John Smith and Tom Winkowski. Guests included: Matt Burrett, Shelley Bulechek. Rose Allison, Tom Tjelmeland, James Cozzie, and Jim Miller.

Smith, second by Banowetz, moved to approve the Consent Agenda consisting of:

- Agenda
- Minutes of the December 11, 2006 City Council meeting
- Treasurers Report for the period ended December 31, 2006
- Bills Payable for January, 2007
- Appointment of Mary Ballantyne to Library Board, replacing Rachelle Minek.

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended November 30, 2006

	Receipts	Disbursements	Ending Balance
General	\$ 7,230.41	\$ 28,024.98	\$ 261,390.14
Road Use	7,716.12	4,712.62	-3,858.48
TIF Fund			283,195.83
Debt Service	5,547.54		19,373.93
Other Projects			128,160.89
Library Project			3,169.70
Water Utility	14,105.35	3,542.35	139,827.90
Water/Sewer Reserve			50,000.00
Sewer Utility	126,213.21	3,953.11	276,337.00
Sanitary Utility	5,232.33	9,403.83	54,493.17
PR Clearing			1,115.69
Totals	\$166,044.96	\$ 49,636.89	1,212,545.77

Communications:

Deputy W. James of the Linn County Sheriff’s Office presented the Monthly Activity Report. The City Council received Plan and Zoning Commission minutes.

Citizen Requests.

Rose Allison: Rose Allison reported that a car has driven through her yard at least twice; stated it appears the car or cars took a random route from downtown. Ms Allison stated she and her husband followed the tracks and that the vehicle went through more than just their lawn. The City Council directed the Clerk/Administrator to report this matter to the Sheriff’s office and request additional patrol late at night and around the time when the bar closes.

Shelley Bulechek. Shelley Bulecheck reported the sanitary sewer had backed up into their basement at 1800 Highland twice, December 16, 2006 and January 5, 2007. Ms Bulechek reported their sewer service line was checked and found to be flowing properly during the December 16 incident, and that the problem was due to the sanitary sewer backing up and

flowing into their basement. Ms Bulechek presented a letter dated January 8, 2007 to the City Council; and reported hearing of sanitary sewer backups along Main Street. Clerk/Administrator Anderson reported public works had contacted a contractor to televisé the apparently clogged line, and will proceed with any needed work as fast as practical. The City Council discussed the situation with Ms Bulechek, noted they could not take any action on this matter at this time. Ms Bulechek asked this matter to be on the agenda for the February 12, 2007 City Council meeting.

2007 Wastewater Treatment Plant Improvements Project

Public Hearing re: Proposed Plans, Specifications and Form of Contract for the 2007 Wastewater Treatment Plant Improvements Project. Banowetz, second by Meskimen, moved to open a public hearing regarding the plans, specifications and form of contract for the 2007 Wastewater Treatment Improvements Project; motion carried – 5 to 0. Mayor Stanek declared the public hearing open at 7:20 p.m. Clerk-Administrator Anderson reported this public hearing is required by Iowa Code prior to the City accepting bids and issuing debt for a capital project; and that notice was published as required. Mr. Anderson reported no comments regarding the public hearing item had been received verbally or in writing. Mayor Stanek asked for comments from the public. Jim Miller asked how long it would take to read the entire spec book aloud. Mayor Stanek asked for further comments, none were received. Winkowski, second by Meskimen, moved to close the public hearing; motion carried – 5 to 0. Mayor Stanek declared the public hearing closed at 7:22 p.m.

Resolution No. 07-0108-01, Approving Plans and Specifications for the 2007 Wastewater Treatment Plant Improvements Project. Ballantyne, second by Banowetz, moved to approve Resolution No. 07-0108-01:

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0.

Reading of Bids for 2007 Wastewater Treatment Plant Improvements Project and Schedule Meeting to Accept Bid and Approve Contract. Mayor Stanek reported the following bids for the 2007 Wastewater Treatment Plant Improvements Project were received and opened at 5:00 p.m.:

<u>Bidder, City</u>	<u>Bid Amount</u>
Miron Construction, Neenah WI	\$2,305,800
Jim Schroeder Construction, Bellevue, IA	\$2,395,000
Kleiman Construction, Cedar Rapids, IA	\$2,401,600
Wendler Engineering & Construction Inc, South Amana, IA	\$2,444,000
Tylor Construction, Inc., New Vienna, IA	\$2,450,000
Iowa Bridge & Culvert, LC, Washington, IA	\$2,519,000
Di-Mar Construction, Inc., Excelsior, MN	\$2,579,000
Unzeitig, Construction Co, Cedar Rapids, IA	\$2,802,000
<i>Engineer's Estimate</i>	<i>\$2,813,000</i>

Public Hearing re: Authorization of a Loan and Disbursement Agreement and Issuance of Not to Exceed \$3,400,000 Sewer Revenue Capital Loan Notes of Ely, Iowa. Meskimen, second by Banowetz, moved to open a public hearing regarding

authorization of a loan and disbursement agreement with the State of Iowa/. Iowa Finance Authority of no more than \$3,400,000 in City of Ely sewer revenue bonds; motion carried – 5 to 0. Mayor Stanek declared the public hearing open at 7:26 p.m. Clerk-Administrator Anderson reported this public hearing is required by Iowa Code prior to the City accepting bids and issuing debt for a capital project; and that notice was published as required. Mr. Anderson reported no comments regarding the public hearing item had been received verbally or in writing. Mayor Stanek asked for comments from the public. Tom Tjelmeland asked what impact the note would have on utility rates. Aaron Anderson noted net debt service would be roughly \$26.00/connection per month. Rose Allison asked if there would be an increase to water bills. Mr. Anderson stated there would be an increase on the water/sewer bills to pay off the project note. Mayor Stanek asked for further comments, none were received. Meskimen, second by Ballantyne moved to close the public hearing; motion carried – 5 to 0. Mayor Stanek declared the public hearing closed at 7:36 p.m.

Resolution No. 07-0108-02, Authorizing Issuance of Sewer Revenue Capital Loan Notes of Ely, Iowa, in an Amount Not to Exceed \$3,400,000. Meskimen, second by Ballantyne, moved to approve Resolution No. 07-0108-02:

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0.

Shared Grade III WWTF Operator & 28E Agreement with Fairfax – discussion. The City Council discussed the status of working with Fairfax, or other neighboring cities, to share a Grade III Wastewater Treatment Plant operator.

Annexation of Parcel that I Location of City WWTF Lagoon and Treatment Facility.

Public Hearing re: Annexation and Zoning of City-Owned Parcel. Meskimen, second by Ballantyne, moved to open a public hearing regarding annexing the parcel of land the city owns that is the site of the wastewater treatment lagoons and future site of the wastewater treatment plant; motion carried – 5 to 0. Mayor Stanek declared the public hearing open at 7:43 p.m. Clerk-Administrator Anderson reported no comments regarding the public hearing item had been received verbally or in writing. Mayor Stanek asked for comments from the public, none were received. Banowetz, second by Winkowski moved to close the public hearing; motion carried – 5 to 0. Mayor Stanek declared the public hearing closed at 7:45 p.m.

Resolution No. 07-0108-03, Annexing Parcel of Land. This resolution would approve the annexation of the parcel that is the site of the Ely wastewater treatment lagoon. Banowetz, second by Winkowski, moved to approve Resolution No. 07-0108-03:

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0.

Ordinance No. 192 – Amending the Map of the Ely Zoning Ordinance to Designate the Zoning of a Parcel. This ordinance would designate the parcel of land that is the site of the Ely wastewater treatment lagoon as “P-1 - Public Use”. Meskimen, second by Banowetz, moved to introduce Ordinance No. 192, “Amending the Map of the Ely

Zoning Ordinance to Designate the Zoning of a Parcel” and to place said ordinance on first reading.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0.

Meskimen, second by Ballantyne, moved to waive the second and third reading of Ordinance No. 192, and place said ordinance for final consideration.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0.

Meskimen, second by Ballantyne, moved for final approval and adoption of Ordinance No. 192, “Amending the Map of the Ely Zoning Ordinance to Designate the Zoning of a Parcel”.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0. Mayor Stanek declared the ordinance duly adopted.

Resolution No. 07-0108-04, Scheduling Public Hearing re: Amending the Ely Urban Renewal Plan to Include the Wastewater Treatment Facility. This resolution would initiate the process to amend the Ely Urban Renewal Plan to include the location of the Ely Wastewater Treatment Facility in the Urban Renewal Area by scheduling a public hearing regarding the proposed amendment for 7:00 p.m. Monday, February 12, 2007. Meskimen, second by Winkowski, moved to approve Resolution No. 07-0108-04.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0.

Ordinance No. 190, An Ordinance Revising Provisions Related to Sanitary Sewer and Sanitary Sewer Rental Rates.

Third Reading of Ordinance No. 190. Banowetz, second by Meskimen, moved to accept the third reading of Ordinance No. 190, An Ordinance Revising Provisions Related to Sanitary Sewer and Sanitary Sewer Rental Rates.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0.

Final Adoption of Ordinance No. 190. Winkowski, second by Ballantyne, moved for final approval of Ordinance No. 190, An Ordinance Revising Provisions Related to Sanitary Sewer and Sanitary Sewer Rental Rates.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0. Mayor Stanek declared the ordinance duly adopted.

Resolution No. 07-0108-05, Approving FY 07-08 Contract for Law Enforcement Services with Linn County Sheriff’s Office. Meskimen, second by Banowetz, moved to approve

Resolution No. 07-0108-05, "Approving FY 07-08 Contract for Law Enforcement Services with Linn County Sheriff's Office" to contract for at least 20 hours of law enforcement patrol per week.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0

Resolution No. 07-0108-06, Setting Time for Regular City Council Meetings. This resolution would change the time for regular City Council meetings from 7:00 pm on the second Monday of each month to 6:00 pm the second Monday of each month. The City Council discussed the proposed resolution, the resolution died for lack of a motion to introduce.

Resolution No. 07-0108-07, Designating Official Newspaper. Meskimen, second by Winkowski, moved to approve Resolution No. 07-0108-07, Designating Official Newspaper.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith

Nay: none.

Motion carried – 5 to 0

Budget Preparation & Schedule Workshop. The City Council discussed budget preparation with Clerk/Administrator Anderson and scheduled a budget workshop as part of the January 22, 2007 special meeting.

Discussion Items. Mayor Stanek reported receiving correspondence in regard to enforcing fence requirements for swimming pools, and how those requirements would apply to inflatable swimming pools.

Winkowski, second by Smith, moved to adjourn. Motion carried – 4 to 0. The meeting adjourned at 8:00 p.m.

Dale Stanek, Mayor

Attest:

Aaron Anderson, Clerk/Administrator