

**ELY CITY COUNCIL
REGULAR MEETING
JANUARY 10, 2011
ELY CITY COUNCIL CHAMBERS**

Mayor Jim Doyle called the meeting to order at 7:00 p.m. Council members present: Dale Stanek, Bill Grove, Kay Hale, Stephanie Mai and Bob Ballantyne. Also present: Marv Peters, Chuck Vavra, Mike Ivester, Jim Miller, Marie Miller, Gary Whittom, Cody Whittom, Randy Zbanek, Dave Rasmussen, Keith Schulte, Terry Smith, Aaron Cooper, Don Carter, City Engineer Scott Pottorf and Clerk-Administrator Aaron Anderson.

Mayor Doyle led the City Council and others attending in the Pledge of Allegiance.

Mayor Doyle asked Council member Bill Grove to introduce Marv Peters. Bill Grove introduced Marv. Peters as Commander of American Legion Post No. 555 in Ely. Mr. Peters stated American Legion Post No. 555 wants to publicly recognize Chuck Vavra for his service to our country as a member of the 103rd Infantry Cactus Division during World War II. Mr. Peters stated Mr. Vavra is now 90 years old, attended school in Ely and served in the US Army from 1944-46. He stated Mr. Vavra served in the 103rd Infantry, that his unit entered Germany in 1944 and liberated several concentration camps, including a unit of the Dachau concentration camp. Chuck Vavra thanked Mr. Peters and the City Council for the recognition, and noted his unit walked everywhere they went when in Europe. Mayor Doyle thanked Mr. Vavra for his service to the nation and to Ely on behalf of himself and the City Council.

Ballantyne, second by Mai, moved to approve the Consent Agenda consisting of:

- Agenda.
- Minutes of the December 13, 2010 regular City Council meeting.
- Treasurers Report for the period ended December 31, 2010.
- Bills Payable for January, 2011 totaling \$66,711.57
- Resolution No. 11-0110-01, Authorizing Delinquent Utility Payments to be Assessed to Property Taxes.

Motion carried – 5 to 0.

Treasurer's Report (summary) for the period ended, 2010

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 9,743.14	\$ 40,417.99		\$ 568,657.46
Road Use	8,405.16	13,652.98		18,006.74
L O S T	13,623.13			75,896.81
TIF Fund	3,039.83	1,262.90		80,824.22
Debt Service	881.60	13,865.00		21,495.99
Other Projects		44,663.01		-116,615.20
Library Project				60,608.22
Way Point Sign	40.00			9,091.65
North End Infra				-28,219.93
Water Utility	14,214.35	15,339.45		258,748.06
Water/Sewer Reserve				100,000.00
Sewer Utility	20,901.02	9,667.65		58,472.29

Sewer Debt Service		38,679.34		-83,295.01
Sanitary Utility	8,717.00	6,874.61		45,985.63
Farmers Market				372.00
PR Clearing	13,782.56	12,482.76		991.06
Totals	\$ 93,347.79	\$ 196,851.69		\$1,067,389.99

Communications: Deputy Johnson of the Linn County Sheriff's Office presented the Monthly Activity Report. Mayor Doyle summarized other correspondence received.

Citizen Requests. Terry Smith stated the Dows Streetscape project was brought up before and was opposed due to the cost or impact on street width. Mr. Smith stated he understands the city plans on using TIF money to pay for the project, and noted TIF proceeds take tax money from other taxing jurisdictions. He stated he knows of one city/town that did a similar project and it didn't help; and stated he thinks it's spending money that doesn't need to be spent. Mr. Smith added some counties in Iowa are lowering taxable value and suggested the project could wait until the economy improves.

Electric Utility Transmission Franchise Agreement, ITC Midwest, LLC.

Public Hearing re: Ordinance to Approve Franchise Agreement. Stanek moved to open a public hearing regarding Ordinance No. 223, Granting an Electric Transmission Franchise to ITC Holdings Midwest, LLC. second by Ballantyne; motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 7:17 p.m.

Mayor Doyle reported ITC Midwest LLC seeks a franchise with the city of Ely to construct, operate and maintain electric transmission facilities within Ely, and introduced Mike Ivester, of ITC Midwest. Mr. Ivester reported ITC Midwest has been in business roughly three years with the goal of upgrading the electric transmission system. Mr. Ivester stated they are tasked to get transmission franchises in cities they will be going through, and that this agreement makes it easier for ITC to do business in Ely. He stated Alliant sold their electric transmission capacity to ITC three years ago and that ITC seeks to add capacity and improve the existing infrastructure that is often 50 to 60 years old. Mayor Doyle asked for additional comments or questions regarding the public hearing item; none were offered or received.

Stanek moved to close the public hearing at 7:18 p.m., second by Grove; motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 7:18 p.m.

First Reading of Ordinance No. 223, Granting an Electric Transmission Franchise to ITC Holdings Midwest, LLC. Stanek moved to introduce and approve the first reading of Ordinance No. 223; second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

Mayor Doyle declared the motion carried and the introduction and first reading of the ordinance approved - 5 to 0.

2011 Hillcrest Street Improvements Project

Review Project Plans and Specifications. City Engineer Scott Pottorf presented proposed plans and specifications for the 2011 Hillcrest Street Improvements project that include items suggested at the project open house held on January 4, 2011. The City Council discussed the proposed plans with Mr. Pottorf. Items discussed include:

- Sump pumps from homes will be allowed to connect to the new storm sewer system.
- That sidewalk will be moved closer to the back of curb to avoid mature trees in the project area, the back of sidewalks will be roughly 3 ½ feet from the property line.
- Installation of a storm sewer intake on the north east side of the intersection with Highland Road to connect storm water flowing from Ely City Park, which Mr. Pottorf estimated would add \$4,000 to the project cost. It was the consensus of the City Council to include this intake in the project plans.

Authorize Advertising for Bids for 2011 Hillcrest Street Improvements Project. Stanek moved to authorize the City Engineer and City Administrator to advertise for bids to construct the 2011 Hillcrest Street Improvements Project, with bids to be received by no later than 2:00 p.m. February 9, 2011; second by Grove. Motion carried – 5 to 0.

Schedule Public Hearing re: Plans, Specifications and Form of Contract for 2011 Hillcrest Street Improvements Project. Stanek moved to schedule a public hearing regarding the plans, specifications and form of contract for the 2011 Hillcrest Street Improvements Project for 7:00 p.m., February 14, 2011; second by Mai. Motion carried – 5 to 0.

2011 General Obligation Bond to Pay for 2011 Hillcrest Street Improvements, and 2011 Jappa Road Improvements (w/Linn County), and Refinance 2000 and 2002 GO Issues. Mayor Doyle reported staff is working with Financial Advisor and Bond Counsel to arrange financing for the 2011 Hillcrest Street and Jappa Road Improvements and that Ely's Financial Advisor believes Ely can realize savings on interest on the remaining balance of two General Obligation Bonds. He noted that current cost estimates would put actual financial need for the identified items at \$845,000, but the proceedings are presented if received bids are higher than the engineers estimate.

Resolution No. 11-0110-02, Resolution Fixing Date for a Meeting on the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$900,000 General Obligation Capital Loan Notes, Series 2011, of the City of Ely, State of Iowa, and Providing for Publication of Notice Thereof. Mayor Doyle reported this resolution would schedule a public hearing regarding the issuance of not more than \$900,000 General Obligation bonds for 7:00 p.m. February 14, 2010. Stanek moved to approve Resolution No. 11-0110-02; second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

Mayor Doyle declared the motion carried and the resolution approved - 5 to 0.

Water Tower and Water System Improvements Project.

Contract for Davis-Bacon Compliance Services. City Administrator Anderson reported several applications for a temporary part time Davis-Bacon Compliance position have been received. It was the consensus of the City Council to proceed and recommend an applicant to hire at the February 14, 2011 meeting.

Downtown Dows Street Streetscape Project

Discuss Project Concept & Project Budget. City Engineer Scott Pottorf distributed material and graphics showing four grading and paving design options for the project segment between Walker Street and State Street. He stated the options are related to grade of the parking after project is finished and presented for the City Council's consideration in designing the project. City Council discussed the proposed project with Mr. Pottorf, including likely project schedule and timing; it was the consensus that this project be the first item discussed at the January 24 workshop meeting.

North Entrance Waypoint Project. City Administrator Aaron Anderson reported the Alliant Energy Foundation supports using the money from their grant to install two welcome signs, rather than one as Ely presented in the grant application.

Resolution No. 11-0110-03, Accepting Grant Agreement with Alliant Energy Foundation. Ballantyne moved to approve Resolution No. 11-0110-03, second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

Mayor Doyle declared the motion carried and the resolution approved - 5 to 0.

Review of Conditions and Requirements for Operation of Golf Carts and All-Terrain Vehicles on City Streets. The City Council discussed the conditions and requirements for golf carts and All-Terrain Vehicles to be operated on Ely's streets per Ordinance No. 204, and aspects that could be improved.

Review First Draft of Ordinance 224. Mayor Doyle and the City Council discussed a preliminary version of an ordinance regarding operation of golf carts and ATV's on Ely's streets. The consensus following discussion was that the draft ordinance should be revised to include

- Annual vehicle registration, renewal on April 1 each year.
- \$25 registration fee per year.
- City Clerk/Administrator to inspect vehicle before registration is approved.
- Only the vehicle would be licensed, not operators

Schedule Public Hearing re: Ordinance No. 224 Revising Requirements and Conditions for Golf Cart and All-Terrain Vehicle Permits. Grove moved to schedule a public hearing re: proposed Ordinance No. 224 for 7:00 p.m. February 14, 2011, second by Hale. Motion carried – 5 to 0.

Ordinance No. 225, Ordinance to Revise Certain Parking Provisions in the Ely City Code

Review First Draft of Ordinance 225. Mayor Doyle reported this item is presented to follow up on various discussions regarding parking regulations in Ely and in the Downtown area. City Council discussed a preliminary draft of an ordinance that would revise certain parking rules in Ely; among them being parking around the Post Office building at 1690 Dows Street. Following discussion it was the consensus the draft ordinance should be revised to create two 15-minute only parking spaces during the hours the Post Office lobby is open, as follows:

- The first space on Dows Street in front of 1690 Dows Street (the Post Office Building)
- The first space on Main Street adjacent to 1690 Dows Street.

Schedule Public Hearing re: Ordinance No. 225, An Ordinance to Revise Certain Parking Provisions in the Ely City Code. Stanek moved to schedule a public hearing re: proposed Ordinance No. 225 for 7:00 p.m. February 14, 2011; second by Hale. Motion carried – 5 to 0.

Budget Preparation

General Discussion re: Preparations for FY 2011-12 Budget. City Administrator Anderson gave a brief report regarding the upcoming FY 11-12 budget, including that taxable valuation increased 7.85% from the current fiscal year.

Annual Business

Resolution No. 11-0110-04, Designating Official Newspaper. Mayor Doyle reported this resolution would again designate the Cedar Rapids Gazette as the official city newspaper, as required by State Code. Stanek moved to approve Resolution No. 11-0110-04, second by Hale.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

Mayor Doyle declared the motion carried and the resolution approved - 5 to 0.

Discussion Items

Ballantyne moved to adjourn, second by Stanek. Motion carried – 5 to 0. The meeting adjourned at 8:36 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator