

**ELY CITY COUNCIL
REGULAR MEETING
JANUARY 13, 2014
ELY CITY COUNCIL CHAMBERS**

Mayor Jim Doyle called the meeting to order at 7:00 p.m. Council members present: Stephanie Mehmen, Bill Grove, Kay Hale, Dave Rasmussen and Bob Ballantyne. Also present: Katie Jo Bruhn, Jim Miller, Annette Wieneke, Elli Wieneke, Duane Kunkel, Connie Kunkel, Sarah Sellon, Alan Wery, Judy Wery, Mike Jarvis, Robin Kramer, Erin Kramer, Terry Smith, Keith Schulte, Ron Stark, City Engineer Scott Pottorff and Clerk-Administrator Aaron Anderson.

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

Hale, second by Grove, moved to approve the Consent Agenda consisting of:

- Agenda.
- Minutes of the December 9, 2013 regular meeting.
- Treasurers Report for the period ended December 31, 2013.
- Bills Payable for January 2014, totaling \$100,265.05.
- Resolution No. 14-0113-01, Designating Official Newspaper.

Motion carried – 5 to 0.

Treasurer's Report (summary) for the period ended December 31, 2013

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 14,662.59	\$ 43,806.16		\$ 727,410.89
Road Use	13,995.18	31,770.08		18,760.13
L O S T	18,723.31			201,562.39
TIF Fund	4,277.40			225,645.50
Debt Service		21,833.75		-72,271.30
Other Projects				108,960.84
Library Project				-64.23
Way Point Sign		1,268.00		-19,595.29
North End Infra				-28,589.93
Water Utility	16,080.64	10,992.50		282,466.98
Water/Sewer Reserve	5,216.10	12,735.00		134,247.90
Sewer Utility	24,004.32	19,470.13		32,195.77
Sewer Debt Service	11,727.92	22,607.30		65,914.70
Sanitary Utility	10,275.53	6,660.95		35,574.60
Storm Water	18.00			104.12
Farmers Market				1,363.01
PR Clearing	12,138.91	10,491.28		6,126.74
Totals	\$ 131,159.80	\$ 181,631.15		\$1,741,580.94

Communications. Library Director Sarah Sellon presented a report on activities at the Ely Public Library. Deputy Egli distributed the monthly Sheriff's Office Activity Report.

Citizen Requests. Jim Miller asked about cars that go to the WWTP in the evenings, and thanked the Public Works crew for the quick job of snow removal. City Administrator will contact the Sheriff's Office regarding the cars.

Holly Rasmussen asked if and when snow will be plowed off the Hoover Trail, and noted that many people enjoy the occasion to get out on the trail in the few good weather days of winter. Mayor and City Council discussed this with Ms Rasmussen and directed the City Administrator to pursue this matter. Ms Rasmussen asked if snow can be removed from the street closer to the curb at various locations.

Beginning of City Council Member Term

Designation of Mayor Pro-Tempore and Designation of Council Members re: Streets, Finances, Public Safety, Public Works. Hale, second by Ballantyne, moved to confirm Mayor Doyle's Council Member liaison designations as follows:

- Mayor Pro-Tempore – Bob Ballantyne
- Public Safety & Parks – Dave Rasmussen
- Streets - Kay Hale
- Public Works - Bill Grove
- Finances – Stephanie Mehmen

Motion carried – 5 to 0

Banner Valley Road/Banner Valley Creek

Report re: Drainage Analysis of Banner Valley Creek and Possibility of Reestablishing the Existing Box Culvert Under Banner Valley Road West of Sunrise Drive – City Engineer Scott Pottorff. City Engineer Scott Pottorff presented his report regarding a blocked culvert for Banner Valley Creek that crosses under Banner Valley Road west of Sunrise Drive, and likely impacts if that culvert is opened up again. The City Engineer's complete report is on file at the City Clerk's office. Mr. Pottorff's comments include, but are not limited to:

- If the culvert is reopened the flow of the creek would be roughly divided by half for a standard rain event, with roughly 75% of the flow remaining on the north side in a 100-year storm event.
- The ditch on the south side of Banner Valley Road has the capacity to convey a 100-year storm event and the flow would be at the top of the ditch and nearly at road level in this event.
- The 36" storm sewer by Glendale Lane that conveys drainage from the ditch on the south side of the street to the creek is inadequate if the culvert to the east is reopened. A four-foot by four-foot box culvert could handle a 5-year storm, a six-foot by six-foot culvert is necessary for the 100-year storm event. Cost estimate is \$300 - \$350 per linear foot of culvert, plus the cost of repairing a segment of Glendale Lane.
- Channel on the north side of the ditch can, and should be, improved which would benefit drainage management regardless.

The Mayor, City Council and others attending discussed this matter; items discussed include but are not limited to:

- Who would pay for the culvert; Mr. Anderson stated it is likely Ely would pay the cost.
- That the cost of the culvert could be decreased by installing the culvert only under the street and open ditch along the houses at the corner of Glendale Lane and Banner Valley Road.
- A note in the report stating the south side of the culvert was closed with poured concrete. Mr. Pottorff stated this note was based on conversations, he did not personally observe it. Discussion among people in audience regarding this matter and who would have plugged the culvert, or paid for it to be plugged.
- History of set of street improvement plans for Banner Valley prepared for the City in 1999, which do not show water flowing through the subject culvert.
- Keith Schulte noted all development plans for Southbrook Addition subsequent to 1999 are based on water not flowing through the culvert, and were all approved by the City.
- Keith Schulte stated Schulte development had the culvert plugged in conjunction with Southbrook 8th Addition in approximately 2004.
- Whether water flowed freely through the subject culvert between 1999 and 2004, and that the ditch on the south side has a 36” inlet going in, and 36” inlet going out.
- That Ely would use criteria for a 100-year storm for any culvert or storm water improvements in this area.
- City Administrator Anderson reported he has not found record in the City’s files of authorization from the City to close or plug the culvert.
- Discussion of impact on watershed of upstream development, including development outside Ely; and the need to enhance storm water management capacity.
- Duane Kunkel stated that “tiny little retention ponds” are a joke, cost him a lot and won’t make any difference. He stated the City should purchase large tracts of land to create ten or fifteen acre retention facilities.
- City’s options to solve the problem at hand, and how to proceed to arrive at a decision.
- That 75% of water in a 100-year storm would still flow on the north side of Banner Valley Rd if the culvert is reopened.
- Butch Wieneke stated he will change the drive to his property and ask Ely or Linn County to help pay for it, which may include going to court.
- Whether Kunkel Addition could proceed for consideration if Mr. Kunkel provides design for a culvert or entrance into the property at Glendale Lane based on this report.

City Engineer Scott Pottorff will prepare a proposed engineering agreement to prepare preliminary plans and cost estimates to: install a box culvert on the south side of Banner Valley Road, improve the ditch on the north side of the road, impacts, and related options with associated costs based on up to and including 100-year storm events.

Kunkel Addition, Request for Annexation, Zoning and Subdivision – Duane Kunkel

Preliminary Plat Kunkel Addition – Report re: Sanitary Sewer Options. Duane Kunkel reported he took out the option of running sanitary sewer main with the apron of the dam across Rogers Creek. City Administrator Anderson reported in regard to installing a sanitary

sewer main along Banner Valley Road to serve two Kunkel Addition lots on Worley Lane. Discussion included that as many as nine existing properties could connect to this main. Consensus of City Council was to proceed with sewer as presented in the preliminary plat.

Public Works – Streets, Water, Sewer & Equipment.

Public Hearing re: Second Amendment to Lease Agreement with AT&T/Cingular Wireless to Allow AT&T to Add a Microwave Dish to the City Water Tower on Jappa Road. Hale moved to open a public hearing re: the second amendment to the lease agreement with AT&T/Cingular Wireless to allow them to install a microwave dish on the “new” city water tower at 8:40 p.m., second by Ballantyne. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 8:40 p.m.

City Administrator reported notice was published as required and no comments received. Mr. Anderson stated the proposed agreement would allow AT&T to install a microwave dish on the Jappa Road water tower, in addition to the wireless facility they have in place now. Jim Miller asked if it will cost the City anything. Mr. Anderson responded that there is no cost to the City and that AT&T will pay an additional \$100/month. Mayor Doyle asked for further comments, none were offered.

Hale moved to close the public hearing at 8:42 p.m., second by Ballantyne. Motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 8:42 p.m.

Resolution No. 14-0113-02, Approving Second Amendment to Lease Agreement with AT&T/Cingular Wireless. Ballantyne moved to approve Resolution No. 14-0113-02, Approving Second Amendment to Lease Agreement with AT&T/Cingular Wireless; second by Grove.

Aye: Mehmen, Grove, Hale, Rasmussen, Ballantyne
Nay: None
Absent: None

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

Curb and Sidewalk Repairs in General Area of Plainview Rd and Dows Street. Mayor Doyle reported a resident approached him regarding a segment of sidewalk along Dows Street where water accumulates, which turns to ice in cold weather. Public Works Director Ron Stark presented a report on this matter, noting that the bulk of the problem seems to be due to a deteriorated storm sewer inlet and a segment of curb that is also in need of repair. Mayor and City Council discussed, Mr. Stark will present a recommendation for work in the spring.

Storm Water Management

Review Proposed Conditions and Requirements of Draft MS4 NPDES Storm Water Discharge Permit. City Administrator Anderson reported Ely received a draft MS4 NPDES Storm Water Discharge permit from the Iowa Department of Natural Resources. Mr. Anderson reported the proposed conditions and requirements of the permit, and discussed same with Mayor and City Council.

Parks Commission

Appointment to Fill Vacancy, Recommendation by Parks Commission. Jeff Hilleman, Parks Commission Chair, reported Ashley Field, 1540 Rock Island Dr., applied to be appointed to the Parks Commission, and that Parks Commission recommends Ms Fields be appointed to fill a vacancy due to Shawn Weber's resignation. Ballantyne moved to appoint Ashley Fields, 1540 Rock Island Drive, to a vacancy on the Ely Parks Commission, second by Hale. Motion carried – 5 to 0.

Budget and Finance

Preparation of FY 2014-15 Budget – General Discussion of Priorities, Projects, etc. City Administrator reported taxable property value information was still not available; Mayor and City Council briefly discussed possible projects and other items for the FY 14-15 budget.

Schedule Budget Preparation and Workshop Meetings. Mayor and City Council scheduled workshop meetings for the FY 14-15 budget for:

- 7:30 p.m. Monday January 27, 2014, with Library Board.
- 6:00 p.m. Thursday February 19, 2014, with Parks Commission.

Discuss Budget Amendment re: Grant Awarded to Library to Purchase iPads and Additional Revenue from Linn County. City Administrator reported the Library Board requests the Library budget be amended to reflect a higher contribution than budgeted from Linn County, and award of a \$1,900 grant to purchase three iPads for Library patrons to use. The proposed amendment will be included with others if needed, for a general budget amendment in March or April.

Resolution No. 14-0113-03, Authorizing Transfer of Funds from TIF to Debt Service Fund. Ballantyne moved to approve Resolution No. 14-0113-03, Authorizing Transfer of Funds from TIF Fund to Debt Service Fund; second by Hale.

Aye: Mehmen, Grove, Hale, Rasmussen, Ballantyne
Nay: None
Absent: None

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

Administrative, Personnel and Staffing

Discuss Expanding the Ely Urban Renewal/TIF Area. Mayor and City Council discussed the possibility of expanding the Urban Renewal/TIF area in two general locations: “North Ely”, from approximately Merry Hill Lane to the north city limits, and the general area of the proposed Kunkel Addition. City Administrator reported the Urban Renewal area would be expanded for “North Area” to make TIF money available to offset the cost of extending sanitary sewer to serve the area, to pay for building an east-west street off of State Street toward Edellen Meadows, and possible State Street improvements in that area. Consensus after discussion was to begin the process to add “North Ely” to the Urban Renewal Area.

Discuss Process for Capital Improvements Planning. City Administrator discussed options for improving the process for Capital Improvements Planning with Mayor and City Council; including the possibility of an outside facilitator for the process. City Council directed Mr. Anderson to solicit quotes for consideration at the February, 2014 meeting.

Resolution No. 14-0113-04, Approving FY 14-15 Contract with Linn County Sheriff's Office for Law Enforcement Services. Hale moved to approve Resolution No. 14-0113-04, Approving FY 14-15 Contract with Linn County Sheriff's Office for Law Enforcement Services, second by Grove.

Aye: Mehmen, Grove, Hale, Rasmussen, Ballantyne

Nay: None

Absent: None

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

Discussion Items

Hale moved to adjourn, second by Mehmen; motion carried – 5 to 0. The meeting adjourned at 9:29 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator