

**ELY CITY COUNCIL  
REGULAR MEETING  
JANUARY 14, 2008  
ELY CITY COUNCIL CHAMBERS**

Mayor Jim Doyle called the meeting to order at 7:00 p.m. Council members present: Tom Winkowski, Bill Grove Mark Banowetz, Stephanie Mai, and Bob Ballantyne. Guests included: Vicki Vargason, Fred Showalter, Jed Schnoor, Marie Miller, Jim Miller, Cary Solberg, Bob Moesl, Don Musil, Lori Wilcoxson, Jim Wilcoxson, Bob Hatala and Terry Smith.

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

- Agenda.
- Minutes of the December 10, 2007 regular meeting.
- Treasurers Report for the period ended December 31, 2007
- Bills Payable for January, 2008 totaling \$77,709.07.
- The following appointments and renewals to the Ely Historic Preservation Commission:

<u>Name</u>	<u>Expires</u>
Clary Illian	12-31-2011
Sharon Furler	12-31-2011
Katie Miller	12-31-2010
Eileen Jacobson	12-31-2010
Lois Cooling	12-31-2010

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended December 31, 2007

	Receipts	Disbursements	Ending Balance
General	\$ 10,194.25	\$ 34,475.62	\$ 362,825.09
Road Use	8,31.83	9,238.88	21,776.75
TIF Fund	3,579.82		343,190.42
Debt Service	1,417.46	3,365.00	19,975.07
Other Projects		297,265.25	-375,615.35
Library Project			3,169.70
Water Utility	13,765.69	8,737.37	196,077.60
Water/Sewer Reserve			100,000.00
Sewer Utility	46,231.06	41,789.50	243,516.58
Sewer Sinking			-21,271.54
Sanitary Utility	5,832.79	5,517.42	58,588.03
PR Clearing	8,282.31	9,486.43	-308.32
Totals	\$ 97,655.21	\$ 409,921.47	\$951,924.03

Communications: Mayor Doyle reported receiving the following communications: minutes of the November 2007 Plan and Zoning Commission meeting, agenda and minutes of the December 2007 Historic Preservation Commission meeting, and the Public Works Director’s report for December 2007. Sheriff’s Deputy presented the Sheriff’s Office’s Monthly Report.

**Citizen Requests.** Jim Miller, Trails End Ranch, stated he has no requests of the City Council tonight, but fully expects to during the upcoming year.

Terry Smith, 1190 State Street, asked where building a new water tower is on the City's priority list. Mayor Doyle replied the City is working on increasing overall water system capacity and especially storage capacity. City Administrator Anderson reported the City Council is conducting a goal-setting workshop on January 28, and that Council priorities will be much better defined after that workshop.

### **Beginning of Term Items.**

**Designation of Mayor Pro-Tem and Council Member Specialty Areas.** Mayor Doyle proposed the following:

- Mayor Pro-Tempore – Mark Banowetz
- Finance – Bob Ballantyne
- Parks & Public Safety – Stephanie Mai
- Public Works – Tom Winkowski
- Streets – Bill Grove

Mai, second by Winkowski, moved to approve designations as listed above. Motion carried - 5 to 0

**Designation of City Attorney.** Banowetz, second by Ballantyne, moved to designate Bob Hatala, with the firm of Moyer & Bergman in Cedar Rapids, Iowa, as Ely City Attorney. Motion carried – 5 to 0. Mayor Doyle recognized Bob Hatala, who introduced himself to the Mayor and City Council members.

**Request for City to Replace Water Main – Scott Goolsby, 1755 Vavra Drive.** The Mayor and City Council discussed a request to replace a 2" diameter flexible plastic water "main" installed in utility easements on the side and rear yards of property on Vavra Drive. Topics discussed include: presence of 4" water main in the Vavra Drive right of way, estimated cost to replace the existing 2" with 4" pipe in place, estimated cost to the homeowner of connecting to the water main in Vavra Drive, and issues related to sanitary sewer main located in the same general area. Winkowski, second by Grove, moved to table until the February 11, 2008 meeting, for more information. Motion carried – 5 to 0.

### **Proposed Edellen Meadows Subdivision, Requests for Re-Zoning and Preliminary Plat.**

**Second Reading of Ordinance No. 201, Designating 20.78+/- Acre Parcel as a R-2 Multiple Family Residential District.** Administrator Anderson reported this ordinance would change the zoning of a 20.78+/- acre parcel on the northwest edge of the proposed Edellen Meadows subdivision from R-1 Single-Family Residential to R-2 Multi-Family Residential. Mr. Anderson the ordinance was introduced and first reading approved by the City Council December 10, 2007. Winkowski, second by Mai, moved to approve the second reading of proposed Ordinance No. 201, and schedule consideration of third reading and final adoption for February 11, 2008.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

Mayor Doyle recognized Jed Schnoor, Developer's engineer for Edellen Meadows, who asked if the City Council could approve the ordinance and preliminary plat at this meeting. City Administrator Anderson noted the agenda did not include consideration of a resolution to approve the preliminary plat. City Attorney Hatala stated the Council could consider final adoption of the ordinance and advised against consideration of a resolution to approve the preliminary plat since it was not included on the posted agenda.

Ballantyne, second by Mai, moved to waive the third reading of Ordinance No. 201.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

Ballantyne, second by Mai, moved to approve final adoption of Ordinance No. 201, "Designating 20.78+/- Acre Parcel as a R-2 Multiple Family Residential District".

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none

Absent: none

Motion carried – 5 to 0. Mayor Doyle declared the ordinance approved and adopted.

### **2007 Wastewater Treatment Plant Improvements Project.**

**Resolution No. 08-0114-01, Approving Change Order No. 9 to Contract with Miron Construction, Inc.** Banowetz, second by Grove, moved to approve Resolution No. 08-0114-01.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

**Resolution No. 08-0114-02, Approving Change Order No. 12 to Contract with Miron Construction, Inc.** Cary Solberg, City Engineer with MMS Consultants, presented Change Order #12 to the contract with Miron Construction for the 2007 WWTP project. Mr. Solberg reported this change order is for installation of in-line capacitors to serve as electrical "filters" to dampen the impedance that is causing the backup generator to not accept the electrical load from the drives and blowers. The City Council discussed this matter with Mr. Solberg. Banowetz, second by Grove, moved to approve Resolution No. 08-0114-02.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

**Payment Application #11, Miron Construction Inc. – 2007 WWTP Project.** Banowetz, second by Mai, moved to approve payment of Payment Application #11 in the amount of \$13,544.15 to Miron Construction for the 2007 Wastewater Treatment Plant Improvements Project. Motion carried – 5 to 0.

**Rogers Creek Trunk Project**

**Payment Requests #1 and #2, Maxwell Construction, Inc. – Rogers Creek Trunk Project.** Winkowski, second by Grove, moved to approve Payment Request #1 in the amount of \$93,111.69, and Payment Request #2 in the amount of \$75,894.64, to Maxwell Construction for the Rogers Creek Trunk Project. Motion carried – 5 to 0.

**Resolution No. 08-0114-03, Approving Amendment to Contract for Engineering Services with MMS Consultants.** City Administrator Anderson reported this resolution would change the terms of the contract for engineering services for the Rogers Creek Trunk Project with MMS Consultants by increasing compensation to MMS for additional work performed outside the originally approved scope of services. The proposed resolution would increase the total compensation for services by \$10,017.00, to a new total of \$69,117.00. The City Council discussed this matter with Cary Solberg of MMS Consultants. Winkowski, second by Ballantyne, moved to approve Resolution No. 08-0114-03.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

**Budget Preparation**

**General Discussion & Schedule Budget Workshop Meeting.** The City Council discussed budget preparation in general briefly. The general consensus of the City Council was to schedule a budget workshop meeting for 5:30 pm, Tuesday February 5, 2008.

**Ordinance to Increase Petty Cash Funds, City Hall & Library**

**Schedule Public Hearing re: Ordinance to Increase Petty Cash Funds for Ely City Hall and Library.** Banowetz, second by Grove, moved to schedule a public hearing to consider an ordinance that would increase the Petty Cash Funds for Ely City Hall and the Ely Public Library to one-hundred and fifty dollars (\$150.00) for 7:00 p.m. February 11, 2007. Motion carried – 5 to 0.

**Resolution No. 08-0114-04, Designating Official Newspaper & Mileage Reimbursement Rate.** Grove, second by Ballantyne, moved to approve Resolution No. 08-0114-04.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

**Resolution No. 08-0114-05, Designating City Depository of Funds.** Banowetz, second by Grove, moved to approve Resolution No. 08-0114-05.

Aye: Winkowski, Grove, Banowetz, Ballantyne

Nay: none.

Absent: none

Abstain: Mai, due to actual or perceived personal interest in the matter at hand.

Motion carried – 4 to 0.

**Discussion Items**

Mai, second by Grove, moved to adjourn. Motion carried – 5 to 0. The meeting adjourned at 8:35 p.m.

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James E. Doyle Jr., Mayor

Attest

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Aaron Anderson, Clerk/Administrator