

**ELY CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 10, 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: Jim Miller, Katie Jo Bruhn, Josh Baker, Sarah Sellon, Annette Wieneke, Butch Wieneke, Duane Kunkel, Alan Wery, Judy Wery, Dan Schmidt, Terry Smith, Tom Rohner, Keith Schulte, Public Works Director 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 January 13, 2014 regular meeting.
- Minutes of the January 27, 2014 special meeting.
- Treasurers Report for the period ended January 31, 2014.
- Bills Payable for January 2014, totaling \$66,560.41.
- Resolution No. 14-0113-01, Designating Official Newspaper.

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended January 31, 2014

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 11,044.12	\$ 23,425.59		\$ 715,029.42
Road Use	13,865.96	20,661.83		11,964.26
L O S T	18,723.31			220,285.70
TIF Fund	627.77			226,273.27
Debt Service				-76,271.30
Other Projects				108,960.84
Library Project				-64.23
Way Point Sign				-19,595.29
North End Infra				-28,589.93
Water Utility	16,779.41	16,137.29		283,109.10
Water/Sewer Reserve	5,216.10			139,474.00
Sewer Utility	25,146.43	32,928.88		24,413.32
Sewer Debt Service	11,767.92			77,682.62
Sanitary Utility	6,771.08	6,123.62		38,222.06
Storm Water	24.00			128.12
Farmers Market	50.00			1,413.01
PR Clearing	11,438.54	17,756.57		-191.29
Totals	\$ 121,454.64	\$ 117,033.78		\$ 1,722,243.68

**Communications.** Library Director Sarah Sellon presented a report on activities at the Ely Public Library. A Linn County Deputy distributed the monthly Sheriff’s Office Activity Report.

**Citizen Requests.****Parks Commission**

**Update re: Landscaping for North Waypoint Project.** Jeff Hilleman, Parks Commission Chair, updated the City Council on landscape and plantings plan for the North Waypoint Project, noting that the plans are different than shown in the grant approved by IDOT, and that grant money will not reimburse Ely for species that were not listed in the grant agreement. Mr. Hilleman also reported plans to finish the donor list on the sign, add an information plaque on the back and consider relocating the electric meter.

**City Park Sand Volley Ball Courts.** Jeff Hilleman reported the Parks Commission plans to install at least two and possibly three sand-volleyball courts, depending on cost, in Ely City Park before June 30, 2014 on the west side of the Hoover Trail. He noted they plan to install the volley ball courts using operational budget money; and the Parks Commission has received pledges for some of the materials; and that they intend to leave the trees if at all possible.

**Appointment Rebecca Joens, 1905 Rogers Creek Rd., to Parks Commission per Recommendation by Parks Commission.** Mehmen moved to appoint Rebecca Joens, 1905 Rogers Creek Rd, to the Ely Parks Commission; second by Rasmussen. Motion carried – 5 to 0.

**Sanitary Sewer at 1760 Vavra Drive – Janice Jansa.** City Administrator Anderson reported Janice Jansa experienced sanitary sewer backflow at 1760 Vavra Drive; and the following has been discovered upon investigation: the sanitary sewer service line runs to a septic tank, and then to a heretofore un-recorded sanitary sewer pipe that is believed to connect a known sewer main further downstream. Mr. Anderson reported Ms Jansa told him the city connected her house to the sanitary sewer system and that the city accepted responsibility for this unusual arrangement under terms of accepting the sanitary sewer system from the association. Mr. Anderson reported he has not been able to find any documentation of a relevant agreement between the sewer association and the city regarding this matter. Ballantyne moved to table the matter for further investigation, second by Hale. Motion carried – 5 to 0.

**Odie's Request for Street Dance – Saturday May 31, 2014.**

**Authorize Closing Dows Street from Alley East of Walker to Main Street from Noon to Midnight.** Mehmen moved to authorize the temporary closing of Dows Street from Main Street to the alley between Walker and Main Streets beginning at noon, Saturday May 31, 2014 with the following requirements:

- Music may run from 2:30 p.m. to 11:30 p.m.
- Sidewalk traffic not be obstructed to non-participants during the event.
- Odie's is responsible for all clean up of the closed segment of street and sidewalk
- Odie's is to provide at least four portable restrooms on their property including one ADA/accessible unit.
- Odie's is to provide adequate security for the event at their cost.

- The closed area of the street is to be cleaned and open to traffic by 7:00 a.m. June 1, 2014.

Rasmussen seconded the motion. Motion carried – 5 to 0.

**Request for Temporary Outdoor Alcohol Service Area - Class C Liquor Permit.**

Ballantyne moved to approve a request for Temporary Outdoor Service Area for Odie's for Saturday May 31, 2014; second by Mehmen. Motion carried – 5 to 0.

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

**Resolution No. 14-0210-05, Approving a Request from Duane and Connie Kunkel for Voluntary Annexation of Certain Described Territory, Voluntarily Annexing Said Described Territory and Involuntarily Annexing a Described Parcel into the City of Ely, Iowa.** Mehmen moved to table Resolution No. 14-0210-05, Approving a Request from Duane and Connie Kunkel for Voluntary Annexation of Certain Described Territory, Voluntarily Annexing Said Described Territory and Involuntarily Annexing a Described Parcel into the City of Ely, Iowa; second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen

Nay: None

Absent: None

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

**First Reading Ordinance No. 238 “Amending the Zoning Map by Designating Specific Parcels R-1 Single Family and Other Specific Parcels R-2 Multi-Family Residential Districts”.** Rasmussen moved to approve the first reading of Ordinance No. 238 “Amending the Zoning Map by Designating Specific Parcels R-1 Single Family and Other Specific Parcels R-2 Multi-Family Residential Districts”, subject to the described property ultimately being annexed into the City of Ely; second by Mehmen.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen

Nay: None

Absent: None

Mayor Doyle declared the motion carried and the first reading of Ordinance No. 238 approved – 5 to 0.

**Proposed Preliminary Plat – Kunkel Addition.** City Engineer Scott Pottorff reported he received design calculations for an extension of Glendale Lane into the proposed Kunkel Addition that crosses Banner Valley Creek from Mr. Kunkel's consulting engineer Dan Schmidt of Brain Engineering. Mr. Pottorff reported the proposed design will result in storm water overtopping Banner Valley Road with the same frequency as current conditions. Mr. Pottorff stated he is confident that what is proposed will be no worse than current conditions, based on the full flow of Banner Valley Creek remaining on the north side of Banner Valley Road.

Keith Schulte stated that it is essential that Banner Valley Road be built so that the level dips at the twin culverts that cross under Banner Valley Road so that excess storm water flows to the channel set aside for Banner Valley Creek on the south side of the road. Mr. Schulte stated concern that Ely appears to be designing to the existing dual 72” diameter

culverts and existing conditions instead of the Banner Valley Road Improvements plans prepared in 1998. Mayor and City Council discussed this matter and further discussed a suggestion that the east entrance to the Kunkel Addition property be moved west to avoid having to cross the creek with Mr. Schulte and others attending.

### **Banner Valley Road/Banner Valley Creek**

**Resolution No. 14-0210-06, Approving Engineering Contract for Engineering Services for the Banner Valley Creek Drainage Study.** Scott Pottorff, City Engineer, presented a proposal to provide engineering services to conduct a drainage study for Banner Valley Creek along Banner Valley Road related to a request to open a currently blocked culvert, and possible storm water management improvements in the area. Total cost of the study is \$12,500; work already performed is included in the total cost of the agreement. Rasmussen moved to approve Resolution No. 14-0210-06, Approving Engineering Contract for Engineering Services for the Banner Valley Creek Drainage Study; second by Hale.

Aye: Ballantyne, Rasmussen, Hale, Grove – with concerns, Mehmen

Nay: None

Absent: None

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

### **Tax Increment Financing, Ely Urban Renewal Area and Urban Renewal Plan**

**Discussion re: Designation of the expanded Ely Urban Renewal Area and on Urban Renewal Plan Amendment.** City Administrator Anderson presented information regarding Urban Renewal and TIF Areas, use of TIF for projects that support or facilitate residential developments rather than commercial/industrial projects, and the “LMI Set-Aside” for residential TIF projects. Mayor and City Council discussed these items and area to consider for inclusion when amending the urban renewal area for the north area of Ely.

### **Budget and Finance**

**Preparation of FY 2014-15 Budget – General Discussion of Priorities, Possible Capital Projects and Expenditures, etc.** Mayor and City Council reviewed an updated draft of the FY 14-15 budget, including Library request, equipment to consider for purchase and capital projects to include in the next year’s budget. Mr. Anderson was directed to send the most current draft Capital Improvements Plan to the Mayor and City Council. City Council will discuss capital projects further during the February 19, 2014 workshop meeting.

**Schedule Budget Preparation and Workshop Meeting.** Mayor and City Council determined budget workshops other than the one scheduled for February 19, 2014, are not needed.

### **Administrative, Personnel and Staffing**

**Process for Capital Improvements Planning.** City Administrator Anderson presented a brief report, no action was taken.

**Resolution No. 14-0210-07, Resolution adopting and approving Tax Compliance Procedures Relating to Tax-Exempt Bonds.** Hale moved to approve Resolution No. 14-0210-07, Resolution adopting and approving Tax Compliance Procedures Relating to Tax-Exempt Bonds; second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove – with concerns, Mehmen

Nay: None

Absent: None

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

**Authorize Registration for Iowa Municipal Managers Institute – Anderson.**

Rasmussen moved to authorize registering City Administrator Anderson to attend the 2014 Iowa Municipal Management Institute in Iowa City at a cost of \$420, second by Hale. Motion carried – 5 to 0.

**Discussion Items**

Hale moved to adjourn, second by Grove; motion carried – 5 to 0. The meeting adjourned at 9:09 p.m.

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James E. Doyle Jr., Mayor

Attest:

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Aaron Anderson, Clerk/Administrator