

**ELY CITY COUNCIL
REGULAR MEETING
FEBRUARY 11, 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, Jim Miller, Mary Ballantyne, Jed Schnoor, Fred Showalter, Jim W. Webster, Don Musil, Millicent Cozzie, Jennifer Jordebek, Cheryl Krob, Judy Janssen, and Dave Rasmussen. Also present: Cary Solberg of MMS Consultants, and Clerk-Administrator Aaron Anderson.

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

- Agenda.
- Minutes of the January 14, 2008 regular meeting.
- Minutes of the January 28, 2008 goal setting workshop meeting
- Minutes of the February 7, 2008 budget preparation workshop
- Treasurers Report for the period ended January 31, 2008
- Bills Payable for February 2008 totaling \$85,158.19.
- Purchase Orders: \$390.00 for registration to the Iowa Municipal Management Institute for Clerk/Administrator Anderson.

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended January 31, 2008

	Receipts	Disbursements	Ending Balance
General	\$ 7,623.31	\$ 26,776.24	\$ 343,672.16
Road Use	9,498.48	10,631.36	20,643.87
TIF Fund	509.08		343,699.50
Debt Service	1,053.38		21,028.45
Other Projects	302,452.27	1,000.00	-74,073.08
Library Project			3,169.70
Water Utility	14,883.23	4,684.57	202,276.26
Water/Sewer Reserve			100,000.00
Sewer Utility	209,465.59	221,856.00	231,126.17
Sewer Sinking	5,601.11		-15,670.43
Sanitary Utility		2,262.96	56,325.07
PR Clearing	11,492.56	10,461.38	722.86
Totals	\$ 562,669.01	\$ 277,672.51	\$ 1,236,920.53

Communications: Mayor Doyle reported receiving the following communications: minutes of the January 2008 Plan and Zoning Commission meeting. Sheriff’s Deputy presented the Sheriff’s Office’s Monthly Report.

Citizen Requests. Jim Webster asked if this was the time to ask if the re-zone request for Edellen Meadows was approved. Mayor Doyle replied the re-zone was approved in January, and that further discussion would be appropriate during the Edellen Meadows item. Dave Rasmussen, 1505 State Street, requested the City paint diagonal parking stripes in the parking

along Dows Street by the commercial building at 1505 State Street in the spring. Mayor Doyle stated the City would paint parking stripes per the request.

Proposed Subdivision – Edellen Meadows, Edellen Meadows Development, LLC.

Resolution No. 08-0211-06, Approving Preliminary Plat of Edellen Meadows to Ely, Iowa. Clerk-Administrator Anderson reported the developer/applicant submitted an updated version of the preliminary plat that responds to the comments and concerns of the Plan and Zoning Commission and the City Engineer. Mayor Doyle recognized Jim Webster who asked questions regarding the construction of the retaining pond and when it would be built. The Mayor and City Council discussed this matter, including: availability and adequacy of sanitary sewer capacity, water system adequacy, phasing of the project, and the likely timing of the first portion of the development. Ballantyne, second by Winkowski, moved to approve Resolution No. 08-0211-06, “Approving Preliminary Plat of Edellen Meadows to Ely, Iowa”.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

Resolution No. 08-0211-07, Approving Developer/Subdividers Agreement – Edellen Meadows, Edellen Meadows Development, LLC. Clerk-Administrator Anderson reported a proposed agreement regarding terms and conditions related to the development of the Edellen Meadows subdivision. There was general discussion between the Mayor and City Council with Mr. Anderson, Jed Schnoor the developer/applicant’s engineer, and City Engineer Cary Solberg. Following discussion it was the general consensus of the City Council that the developer’s agreement should be revised as follows:

- The City would install sidewalks along Northgate Drive, not the Developer;
- Certificates of Occupancy will not be issued for any home built in the development until all sidewalks are installed, the Developer will not be required to install sidewalk on one side of a corner lot;

The Mayor and City Council discussed the timing of dedication of right of way for recreational trail, and status of the recreational trail north of Ely city limits. Mai, second by Ballantyne, moved to table Resolution No. 08-0211-07 to resolve the timing of dedication of recreational trail right of way. Motion carried – 5 to 0.

Ordinance No. 202, Revising the Amount Allowed for City Petty Cash Funds.

Public Hearing re: Ordinance No. 202, Revising the Amount Allowed for City Petty Cash Funds. Ballantyne, second by Mai, moved to open a public hearing regarding proposed Ordinance No. 202 at 7:45 p.m. Motion carried - 5 to 0. Mayor Doyle declared the public hearing open at 7:45 p.m. Clerk-Administrator Anderson reported notice of public hearing was published as required by City and State Code; and that no comments had been received, verbally or in writing, prior to the hearing. Mr. Anderson summarized the proposed Ordinance, noting it increases the amount of petty cash for the Library and administrative offices to \$150.00. Mayor Doyle asked for comments from the public, none were offered or received.

Ballantyne, second by Mai, moved to close the public hearing at 7:46 p.m., motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and the meeting returned to regular session at 7:46 p.m.

First Reading of Ordinance No. 202, Revising the Amount Allowed for City Petty Cash Funds. Grove, second by Winkowski moved to introduce and approve the first reading of Ordinance No. 202 “Revising the Amount Allowed for City Petty Cash Funds”..

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

Ballantyne, second by Grove, moved to waive the second and third readings of Ordinance No. 202.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

Winkowski, second by Mai, moved to approve final adoption of Ordinance No. 202, “Revising the Amount Allowed for City Petty Cash Funds”.

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.

Project Update. Cary Solberg, City Engineer with MMS Consultants, updated the Mayor and City Council on the status of the WWTP project. Mr. Solberg reported he is working with WesTech; the company that provided the aeration wheels, to install shields to minimize ice build-up on the drive gear for the aeration wheels. The City Council discussed the project, including purchase of a life saving ring to be placed near the clarifiers, and security/fencing for the WWTP project.

Rogers Creek Trunk Project

Project Update. Cary Solberg reported the underground bore reached the north side of Banner Valley Road, but was stopped short of the specified distance to maintain acceptable depth of the main. He reported the contractor experienced considerably higher ground water levels and that the ground water forced the bore equipment into an upward slope. Mr. Solberg stated the remainder would be done as open trench work; a change order would be needed to the contract but he does not anticipate an increase in cost to the city.

Payment Request #3, Maxwell Construction, Inc. – Rogers Creek Trunk Project. Mai, second by Ballantyne, moved to approve Payment Request #3 in the amount of \$27,942.68, to Maxwell Construction for the Rogers Creek Trunk Project. Motion carried – 5 to 0.

Budget Preparation

Discussion. Clerk-Administrator Anderson reported the draft budget had been updated per discussion at the February 7, 2008 budget workshop. Mr. Anderson noted the proposed total property tax levy is roughly ten cents per thousand less than the current levy, mainly due to increased property values and slightly lower debt service costs for the year. Mayor Doyle recognized Jennifer Jordebek, Librarian, who stated the Library and Library Board appreciate the support the City Council has given over the years.

Schedule Public Hearing re: Proposed Property Tax Levy and Budget for FY 2008-09.

Ballantyne, second by Winkowski, moved to schedule a public hearing regarding the proposed property tax levy and budget for fiscal year 2008-09 for 7:00 p.m., Monday March 10, 2008. Motion carried – 5 to 0.

City Council Goal Setting.

Review Draft Report and Identified Priorities. The Mayor and City Council discussed the draft report of the January 28, 2008 Goal Setting workshop as prepared by Jeff Schott of the Iowa Institute of Public Affairs. Topics discussed include: economic and community development, forming an economic development commission or committee, that the report identifies goals for a two year time frame, relationship of this document to the capital improvements plan, and that many of the identified items are inter-related.

Resolution No. 08-0211-08, Approving Goal Setting Report. Ballantyne, second by Mai, moved to approve Resolution No. 08-0211-08, noting that the plan is subject to review and may be fully amended by the City Council.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none

Absent: none

Motion carried – 5 to 0.

Schedule Workshop to Discuss Action Plan for Water System Improvements and Park Development. Clerk-Administrator Anderson requested the City Council conduct a workshop session to discuss action planning for the water system improvements and park development projects identified in the 2008 Goal Setting Report. It was the general consensus of the City Council to hold a workshop session Tuesday March 4 at 5:30 p.m.

Ordinance to Revise Sanitation/Garbage Collection Rates to Include One Container per Week. Clerk-Administrator Anderson reported he had drafted an ordinance that would revise garbage collection rates to allow residents to place one container at the curb each week without a garbage sticker. Mr. Anderson reported that the draft ordinance would increase the monthly collection fee by \$4.00, from \$7.00 per month to \$11.00 per month. The City Council discussed this matter, items discussed include: that garbage stickers are often inconvenient for residents, impact of the fee increase on people who don't generate a container of garbage every week, possibility that allowing one container per week would decrease recycling, and that it seems the purpose of the proposal is to improve the financial margin for garbage/sanitation.

Schedule Public Hearing re: Ordinance to Revise Sanitation/Garbage Collection Rates to Include One Container per Week. Winkowski, second by Ballantyne, moved to schedule a public hearing for 7:00 p.m. Monday March 10, 2008 to consider an ordinance that would revise the garbage/sanitation fee to allow residents to place one container at the curb each week without requiring a sticker and increase the monthly fee from \$7.00/month to \$11.00/month. Motion carried – 4 to 1; Banowetz opposed.

Northwest Sanitary Sewer Trunk Project. Clerk-Administrator Anderson and Cary Solberg discussed this project with the City Council; nothing that this project is to extend a trunk main for sanitary sewer capacity in the northwest area of Ely, that the project would allow for the full build-out of Edellen Meadows, and would provide sanitary sewer facilities for the park development.

Resolution No. 08-0211-09, Approving Agreement for Engineering Services with for the Northwest Sanitary Sewer Trunk Project, MMS Consultants, Inc. Clerk-Administrator Anderson reported this resolution would accept an agreement with MMS Consultants to provide all engineering services needed for the NW Sanitary Sewer Trunk Project at a lump sum fee of \$67,900.0, subject to the terms and conditions fully set out in the proposed agreement. Ballantyne, second by Banowetz, moved to approve Resolution No. 08-0211-09:

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

Resolution No. 08-0211-10, Approving Contract for Law Enforcement with Linn County Sheriff's Office for FY 08-09. Banowetz, second by Grove, moved to approve Resolution No. 08-0211-10, for 25 hours per week of law enforcement services from the Linn County Sheriff's Office.

Aye: Winkowski, Grove, Banowetz, Mai, Ballantyne

Nay: none.

Absent: none

Motion carried – 5 to 0.

Discussion Items

Winkowski, second by Grove, moved to adjourn. Motion carried – 5 to 0. The meeting adjourned at 9:00 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator