

**ELY CITY COUNCIL
REGULAR MEETING
MARCH 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, Dave Netolicky, Terry Smith, Duane Kunkel, Connie Kunkel, Alan Wery, Mark Harapat, Mike Zscherny, Rob Kramer, Erin Kramer, Kathleen Banowetz, Sarah Sellon, Annette Wieneke, Butch Wieneke, Dan Schmidt, Katie Jo Bruhn, Stephanie Mai, 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 February 10, 2014 regular meeting.
- Minutes of the February 19, 2014 special meeting.
- Treasurers Report for the period ended February 28, 2014.
- Bills Payable for March 2014, totaling \$76,314.38

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended February 28, 2014

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 9,092.84	\$ 29,103.31		\$ 695,018.95
Road Use	16,860.68	15,008.86		\$ 13,816.08
L O S T	18,723.31			239,009.01
TIF Fund	517.52			226,790.798
Debt Service				-76,271.30
Other Projects		7,086.79		101,874.05
Library Project				-64.23
Way Point Sign				-19,595.29
North End Infra				-28,589.93
Water Utility	15,695.34	9,986.59		288,817.85
Water/Sewer Reserve	5,216.10			144,690.10
Sewer Utility	25,579.95	22,220.93		27,772.34
Sewer Debt Service	11,767.92			89,450.54
Sanitary Utility	6,107.12	6,797.50		37,531.68
Storm Water	22.00			150.12
Farmers Market				1,413.01
PR Clearing	11,848.17	10,874.26		786.62
Totals	\$ 121,430.95	\$ 101,078.24		\$1,742,593.39

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

Citizen Requests. Terry Smith presented a list of questions and concerns to Mayor Doyle and the City Council, a copy of which is attached to the minutes. Mayor Doyle and City Council discussed some of the matters with Mr. Smith and directed Clerk/Administrator Anderson to respond to items 5 and 6 of that list.

Plan and Zoning Commission

Appointment to Plan and Zoning Commission – Tim Stolba. Mayor Doyle reported the Plan and Zoning Commission recommends appointing Tim Stolba, 1635 Ranmar Dr., to the P&Z. Mehmen moved to appoint Tim Stolba to the Plan and Zoning Commission, second by Rasmussen. Motion carried – 5 to 0.

Sanitary Sewer at 1760 Vavra Drive – Janice Jansa. City Administrator Anderson reported he was unable to gather more information on this matter and will report again in April.

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. Council member Grove stated that according to Roberts Rules of Order the resolution remains tabled until action is made to take it up again. No action was taken on the matter.

Second 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 second 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: Rasmussen, Mehmen
Nay: Ballantyne, Hale, Grove
Absent: None

Mayor Doyle declared the motion did not pass and the second reading of Ordinance No. 238 failed – 2 to 3.

Proposed Preliminary Plat – Kunkel Addition. City Engineer Scott Pottorff reported site drainage was worked out with Dan Schmidt, the consulting engineer for Mr. Kunkel; including the Glendale Lane stream crossing across Banner Valley Creek. Mr. Pottorff stated he believes Mr. Kunkel and consulting engineer provided enough information regarding storm water management to move forward on the plat process since work will start at the southwest corner and proceed east; specific plans and specifications for the Glendale Lane entrance can be put prepared when the work is more imminent so they reflect conditions that exist at that time.

There was discussion regarding the capacity of the two 72” diameter culverts among City Council and others attending. Mr. Pottorff stated that design standard for storm water management is to contain and convey the five-year storm event, with provisions for a safe

overland route for the 100-year event. Mr. Pottorff noted that if built as presented storm runoff after development would be no different than current conditions. He suggested circumstances may be different when a Glendale Lane crossing is built, and that the design should reflect conditions as they exist at that time.

Keith Schulte stated he is concerned that water will not be conveyed adequately when the structures are built and asked if it would streamline this process if the City Council were to commit to reconstructing Banner Valley Road per the 1999 concept plan at the same time the Glendale Lane crossing into Kunkel Addition is built.

Stephanie Mehmen asked why moving the Glendale Lane, or east, entrance is not being considered by Mr. Kunkel. Duane Kunkel stated he is willing to consider moving this entrance to open up drainage capacity for the area, and asked how many people are at risk of being flooded. Discussion related to this topic, including but not limited to: concerns with traffic speed on Rock Island if the entrance is moved, design of the street to meet collector standards, and that this could result in the City or City Engineer “blowing off” water on the south side of Banner Valley Road.

Proposed Developer’s Agreement – Kunkel Addition. Clerk/Administrator Anderson reported he sent a preliminary version of a developer’s agreement for the Kunkel Addition to Mr. Kunkel and Mr. Schmidt. Duane Kunkel reported they will send comments soon.

Budget and Finance

Public Hearing re: Proposed FY 2014-15 Property Tax Levy and Budget – 7:00 p.m.

Ballantyne moved to open a public hearing regarding the proposed property tax levy rate and budget for FY 2014-15 at 8:03 p.m., second by Hale. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 8:03 p.m. City Administrator Anderson reported notice of hearing was published and posted as required by law, and no comments or objections received. Mr. Anderson reported the proposed property tax rate is \$8.36390/\$1,000 taxable value, and summarized revenues and budgets presented in the proposed budget. Mayor Doyle asked for comments from the public, none were offered or presented. Ballantyne moved to close the public hearing at 8:05 p.m., second by Hale. Motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 8:05 p.m.

Resolution No. 14-0310-08, Adopting Levy for Property Taxes Payable FY 2014-15 and Financial Budget for FY 2014-15. Ballantyne moved to approve Resolution No. 14-0310-08, Adopting Levy for Property Taxes Payable FY 2014-15 and Financial Budget for FY 2014-15, second by Grove.

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

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

Process for Capital Projects Planning. Mayor and City Council discussed process for capital projects planning and deciding which capital projects included in the FY 2014-15

budget will be pursued for construction. The discussion included need to develop a method to factor in projects or activities that are beyond a five year window. General consensus was that an outside facilitator is not necessary and to conduct a workshop session at 6:00 p.m. Tuesday March 25.

Trees in City Right of Way

Report re: Emerald Ash Borer and Recommendation to Update City Code re: Trees in Right of Way. Clerk/Administrator Anderson presented a report regarding Emerald Ash Borer noting that DNR has confirmed the infestation in other Iowa counties, and referred to the 2013 report by DNR Urban Forester Mark Vitosh. Mayor and City Council discussed the matter and possible changes to Ely's ordinances regarding trees in the right of way; consensus was to continue the policy of a short list of prohibited species or varieties of trees, rather than establishing a list of allowable trees. City Council directed Mr. Anderson to prepare an ordinance for consideration to revise the City Code that is consistent with Council consensus.

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

Setting Date for Public Hearing on Designation of the Expanded Ely Urban Renewal Area and on Urban Renewal Plan Amendment. Mayor Doyle reported this resolution would schedule a public hearing regarding expanding the Urban Renewal Area so that TIF revenue may be used to extend sanitary sewer to the north areas of Ely, construct an east-west street north of Northgate Drive and other allowed projects for 7:00 p.m. Monday April 14, 2014. Ballantyne moved to approve Resolution No. 14-0310-11, Setting Date for Public Hearing on Designation of the Expanded Ely Urban Renewal Area and on Urban Renewal Plan Amendment, second by Hale.

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

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

Administrative, Personnel and Staffing

Resolution No. 14-0310-09, Fund Balance Policy. Ballantyne moved to approve Resolution No. 14-0310-09, Fund Balance Policy; second by Grove.

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

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

Resolution No. 14-0310-10, City of Ely Investment Policy. Grove moved to approve Resolution No. 14-0310-10, City of Ely Investment Policy; second by Ballantyne.

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

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

Discussion Items

Grove moved to adjourn, second by Hale; motion carried – 5 to 0. The meeting adjourned at 8:23 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator