

Council Proceedings March 13, 2017

The Ely City Council met in regular session on 03/13/17 in Council Chambers. Officials present were Council Members Teri Billick, Kay Hale, Stephanie Mehmen, Elizabeth Rohner and Judy Wery. Several residents were also in attendance. Mayor Eldy Miller called the meeting to order at 7:00 pm and opened with the Pledge of Allegiance.

Council member Hale moved, second by Mehmen, to approve the following consent items: 03/13/17 Agenda as posted; Minutes from the 02/13/2017 council meeting; February 2017 financial reports; Payment of claims totaling \$106,169.35. Ayes: 5.

The following claims include expenses for the City, Park Board, and Library:

Payroll, February, 2017	\$31,755.22	Linn County, Inspection Fees	\$581.00
FICA/Medicare, Payroll Taxes	\$8,305.16	Lee's Ag Clinic, Repairs	\$159.95
IPERS, Benefit	\$12,716.08	Linn County Health, Permit	\$25.00
Advanced, Copy Charges	\$142.49	Linn County REC, Utilities	\$297.17
Allegra, Golf Cart Permits	\$86.53	LINS Heating & AC, Repair	\$774.00
Alliant Energy, Utilities	\$731.19	Mar-Han, Supplies	\$252.20
Altorfer, PW Generator	\$4,963.00	Martin Marietta, Road Supplies	\$1,150.89
Amazon, Library Books & Media	\$296.29	Melrose Computer, Copier	\$253.00
American Legion, Flags	\$350.00	Menards, Office Supplies	\$68.62
Baker & Taylor, Gift Cards	\$665.11	Mid American Energy, Utilities	\$321.73
Blank Park Zoo, Library Program	\$150.48	Movie Licensing, Media	\$95.00
Canon Financial, Copier Fee	\$174.00	Office Express, Office Supplies	\$495.96
Casey's, Fuel	\$134.51	Sarah Sellon, Reimbursement	\$184.00
City Tractor, Tractor Repairs	\$302.29	IA Codification, Codifications	\$3,000.00
DH Pace, Repairs/Inspection	\$340.05	Solon Economist, Newsletter	\$145.00
E & J Electrical, repairs	\$11,216.92	Solon State Bank, Petty Cash	\$66.83
Clair, Tracy, Mileage & Insurance	\$313.88	State Hygienic Lab, Analysis	\$1,033.50
Postmaster, Postage	\$230.18	Terminix, Pest Control	\$82.25
Gazette, Publications	\$287.34	Theisens, Boots & Equipment	\$506.90
HACH, Chemicals	\$229.61	Tire Associates, Repair	\$156.98
Hinton Plumbing, Water Heater	\$1,775.86	Tractor Supply Co, Supplies	\$244.26
Hoy, Denise, Moving Expense	\$2,000.00	UPS, Shipping	\$12.48
Iowa Express Delivery, Shipping	\$200.00	USA Blue Book, Locate Supplies	\$1,744.14
Iowa Prison Industries, Signs	\$235.62	Verizon Wireless, Cell Service	\$247.19
Keystone, Water Analysis	\$24.00	Waste Management, services	\$11,172.67
Kiracofe Oil, LP Gas	\$1,012.50	Wes-Tech, repairs	\$4,377.20
South Slope, internet/phone	\$83.12	Total Bills	\$106,169.35

February 2017 expenses per fund: General \$67,471; Road Use Tax \$11,844, Capital Projects \$100; Water \$17,349; Sewer \$12,005; Landfill/Garbage \$12,402. Total \$121,171.

February 2016 receipts per fund: General \$7,574; RUT \$20,734; TIF \$1,230; Water \$19,002; Sewer \$30,093; Landfill/Garbage \$11,546; Storm Water Management \$140. Total \$90,319.

Correspondence: Council received minutes from the Planning and Zoning Commission and Park & Recreation Board. Also received were monthly reports from Ron Stark for Public Works, and Alan Wery for the Library. A Sheriff's report was submitted and filed.

Connor Fisher presented information regarding electronic locks for the restrooms at Ely City Park and Schulte Park. Locks will run on a 7 day programmable timer relay. Total investment for the locks is estimated to cost \$5,200, turn-key. Mehmen moved to approve the purchase of the electronic locks as presented, Wery seconded. Ayes: 5.

Citizen Requests: Katie Jo Bruhn, 1780 Rock Island Drive, Ely, Iowa expressed concerns with the construction access point for the Creekside Addition. She commented that the sidewalk was being damaged and walkers my need to be guided around the area. The situation will be looked into.

Business: Developer Duane Kunkel addressed council concerning his recent request to change several lots in the Deer Valley Addition from R-1 to R-2. Kunkel explained that his desire was to have some lower price point homes in the addition and felt that duplexes would lend themselves well to empty nesters and retirement aged people. The homes he is looking to have in the addition would be one story zero lot homes in the \$220,000 to \$250,000 price range. Karla Davis, Gateway Realty, spoke on Kunkel's behalf concerning the market for these types of homes. She indicated that they have been very popular in surrounding communities.

At 7:20 PM, council member Rohner moved to open the public hearing on the rezoning request from Kunkel's, seconded by Wery. Aye: 5.

Several residents were in attendance to voice concerns over the request to change zoning from R-1 to R-2. Concerns included: the fear of duplexes driving down the value of current properties in the area; residents not wanting to live by duplex housing; current markets not being favorable to duplexes; the need for more single family homes in the addition; population and generation trends; residents wanting specific data to back up the fact that the market is backing duplex sales.

Residents speaking on record against the zoning changes were: Andrew Wagg, 2080 Fieldcrest Lane; David Fairchild, 1430 Parkland Drive; Jill Harper, 1990 Rock Island; Lisa Heno, 900 Vista Rd; Angela Ballard, 1505 Northgate; Katie Jo Bruhn, 1780 Rock Island; Rhonda Havalik, 1505 Parkland Dr; Amanda Kramer, 1435 Parkland Dr. Ms. Kramer also submitted to council a petition with 207 resident signatures against the zoning change.

Upon a vote by council to close the public hearing at 8:05 PM, Kunkel announced that after listening to the concerns of residents he would like to amend his re-zoning request to only include lot 65, located on the east side of the property contiguous with the rest of the R-2 zoning. He hopes to be able to build a few of the duplexes in the already zoned R-2 to potentially relieve some of the fears that people have about this type of home. Upon completion of the duplexes, and market trends, Kunkel may ask council to re-consider his zoning request for more parcels.

Council member Mehmen moved, second by Hale, to accept the first reading of **Ordinance #253, AMENDING THE ELY ZONING MAP BY AMENDING SPECIFIC PARCELS FROM R-1 SINGLE FAMILY TO R-2 MULTI-FAMILY RESIDENTIAL ZONING**. Ayes: Rohner, Wery, Hale, Mehmen. Nay: Billick. Second reading is scheduled for the April 10 regular council meeting.

After consideration council member Rohner moved, second by Mehmen, to approve the revised construction plans for Deer Valley 3rd Addition to the City of Ely. Amendment to the plans approved include allowing 480' between the manholes on Fox Ridge as per previously approved plans; removing the temporary cal-de-sac at the north dead end of Sunrise; installing a cal-de-sac at the end of Parkland Drive. Ayes: Rohner, Wery, Hale, Mehmen, Billick.

Council member Hale moved, Mehmen seconded, to open the public hearing at 8:35 PM on the plans, specification, and form of contract for the Knoll Court/Ranmar Court resurfacing project. The project will be bid in three projects; Knoll Court alone; Ranmar Court alone; and the combination of both Knoll Court and Ranmar Court. Council requested MMS bid the project including a 6" sub-base, 6" asphalt topping at the intersection and 4" asphalt topping over the rest of the project. Hearing no oral or written comments from the public the hearing was closed at 8:41 PM.

Council member Hale moved, second by Wery, to adopted **Resolution #2017-03.004** Adopting the plans, specification, form of contract and estimate of cost for the Knoll Court/ Ranmar Court resurfacing improvements. Ayes: Rohner, Wery, Hale, Mehmen, Billick.

Council member Hale moved, second by Rohner, to open the public hearing on the fiscal year 2018 Budget and Certification of taxes. City Administrator/Clerk made the following announcements concerning the FY2018 budget: taxable valuation \$78,590,866; combined tax levy \$8.47042; estimated revenues \$2,793,825; estimated expenses \$3,050,248; total debt service paid by

funds other than taxes \$573,818. Hearing no oral or written comments regarding the budget the hearing was closed by Mehmen, second by Billick. Ayes: 5.

Council member Hale then moved to adopt **Resolution #2017-03.005** Adopting the Levy for Property Taxes Payable FY2017-2018 and Financial Budget for FY 17-18, second by Mehmen. Ayes: Rohner, Wery, Hale, Mehmen, Billick.

Council member Hale moved, second by Mehmen, to accept the 2016 Wetland Mitigation Monitoring Report prepared by MMS. Council will consider an action plan regarding the mitigation to be presented by MMS at the April council meeting. Ayes: Rohner, Wery, Hale, Mehmen, Billick.

Council member Wery moved, second by Rohner, to adopt **Resolution #2017-03.006** Approving the placement of 5 street lights in Creekside Estates Subdivision. Ayes: Rohner, Wery, Hale, Mehmen, Billick.

Upon recommendation by Scott Pottorff, city engineer, Mehmen moved, second by Billick, to adopt **Resolution 2017-03.007** approving the release of Outlot A Buresh Estate Third Addition to the city of Ely, from the Developers Agreement. Ayes: Rohner, Wery, Mehmen, Billick. Abstain: Hale.

Two quotes for the purchase of a lawn mower were presented to council for consideration. Council tabled the item until a third quote could be received.

Council discussed and set “Ely Clean-Up Day” for June 3rd, 2017 from 8 AM to Noon. Council noted that NO TIRES or HAZARD WASTE, with the exception of motor oil, will be accepted this year.

Council members asked for volunteers to coordinate the Ely 4th of July Parade. Recently it has been difficult to get volunteers to help and if residents want the 31 year tradition to continue they will have to step up and lead the event. Council urged residents to contact city hall or call council members directly to volunteer.

Council member Mehmen moved, second by Rohner, to approve a new native wine permit for Dan & Debbie’s Creamery. Ayes: 5.

Upon discussion concerning storm warning sirens for Ely, council member Hale moved, second by Wery, to adopt the **Linn County Emergency Managements “Outdoor Notification System (Outdoor Warning Sirens) Common Guidance for Testing and Activation”**. Ayes: 5

Council heard a request from Thomas Rohner, owner of Odies, to hold a street dance and to extend their liquor license on May 20th and August 26th. After Mr. Rohner shared about the events, council member Billick moved, second by Mehmen, to approve the closings on the specific dates and times requested in a letter presented by Rohner, and to approve the extension of the liquor license for said dates after properly filing the request with the Alcoholic Beverages Division. Ayes: Wery, Hale, Mehmen, and Billick; Abstain: Rohner.

Council member Mehmen moved, second by Hale, to go into closed session to discuss the potential purchase of land as allowed under section 21.5 Code of Iowa at 9:50 PM . Ayes: Rohner, Wery, Hale, Mehmen, Billick.

Upon coming out of closed session at 10:30 PM, council members instructed the city administrator to write a letter with a counter offer as discussed in the closed session.

With no further business evident, the meeting was adjourned by a motion at 10:40 PM.

Eldrew Miller, Mayor

Denise L. Hoy, Clerk/Administrator