

**ELY CITY COUNCIL
REGULAR MEETING
APRIL 8, 2013
ELY CITY COUNCIL CHAMBERS**

Mayor Jim Doyle called the meeting to order at 7:00 p.m. Council members present: Dale Stanek, Bill Grove, Dave Rasmussen and Bob Ballantyne; Kay Hale absent - excused. Also present: Todd Happel, Cullen Woods, Kayla Sawyer, Kate Palmer, Teri Burns, Andrew Tiedeman, Travis Macke, Patrick Witt, Randy Burke, Keith Schulte, Teresa Cooper, Aly O'Brian, Josie Wagner, Taylor Burlingham, David & Brenda Carmody, Grant John, Sarah Sellon, Katie Jo Bruhn, Terry Smith, Don Scott, Jake & Anna Hansen, Butch & Annette Wieneke, Randy Zbanek, Aaron Cooper, City Engineer Scott Pottorff, and Clerk-Administrator Aaron Anderson.

Mayor Doyle led the City Council and others attending in the Pledge of Allegiance.

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

- Agenda, subject to item D3a following item D9b
- Minutes of the March 11, 2013 regular City Council meeting
- Treasurers Report for the period ended March 31, 2013
- Bills Payable for March 2013, totaling \$69,171.25
- Renewal of Class C Liquor Permit with Sunday Sales Privileges, St. Quentin's Post #555 of the American Legion, 1545 Main St.
- Renewal of General Property, Liability, and Equipment Insurance Policy with Millhiser Smith Agency and Payment of \$16,483.00 Premium.
- Appointment of Chris Levi, 2080 Southbrook Drive, to Board of Adjustment.

Motion carried – 4 to 0.

Treasurer's Report (summary) for the period ended March 31, 2013

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 16,632.63	\$ 25,460.90		\$ 641,188.77
Road Use	18,645.32	10,678.62		89,905.17
L O S T	16,438.26			272,588.62
TIF Fund	2,714.47			211,480.69
Debt Service				-13,339.80
Other Projects		496.00		-12,894.25
Library Project				-9,106.23
Way Point Sign				-13,405.79
North End Infra				-25,589.96
Water Utility	14,338.94	5,941.84		324,987.54
Water/Sewer Reserve				68,279.90
Sewer Utility	23,377.50	8,203.57		147,222.20
Sewer Debt Service				-84,061.92
Sanitary Utility	5,263.40	6,191.58		42,204.67
Farmers Market				1,090.91
PR Clearing	10,512.42	7,827.12		-1,819.92
Totals	\$107,922.84	\$ 64,799.63		\$ 1,635,729.73

Communications. Linn County Deputy C. Grote presented the Sheriff's Office Monthly Activity Report.

Citizen Requests. Cullen Woods asked about the Downtown parking project. Mayor Doyle stated Ely purchased some land which included a house to convert to a parking lot, budgeted for FY 2013-14. Mr. Wood stated he had heard a lot of people and local businesses complaining there is not enough parking in the downtown area.

Driveway Entrance and Ditch/Stream Crossing at 2111 Banner Valley Road – Butch and Annette Wieneke. Mayor Doyle reported this matter is follow up on discussion and request from Butch and Annette Wieneke regarding the driveway access to their property at 2111 Banner Valley Road. Mayor Doyle noted that the location is outside city limits and that issuance of a driveway/access permit for this location is under Linn County's jurisdiction.

City of Ely Position re: Design and Installation of Driveway/Ditch Crossing Outside City Jurisdiction. City Administrator Anderson suggested Ely's "position" regarding any crossing of Banner Valley Creek, including a driveway access for Mr. and Mrs. Wieneke's property at 2111 Banner Valley Road be:

"The proposed driveway/access is outside Ely's jurisdiction; Linn County has jurisdiction and authority on this matter not Ely. Ely will appreciate the opportunity to comment and offer input on any proposed solution. Ely's goal is to make sure the driveway/access is designed and installed with adequate capacity to convey water at the same rate and volume as currently exists, and that the access not hinder or be an obstacle for the flow of water greater than exists now."

Mayor and City Council discussed this matter with various people attending, including Butch and Annette Wieneke, Keith Schulte, Scott Pottorff and others. Items discussed include, but are not limited to: adequacy of the proposed design to convey water without overtopping Banner Valley Road, likelihood of flooding homes and property on the south side of Banner Valley Road if water overtops the road at this location; concern with the amount of water flowing into Banner Valley Creek, and the many instances Mr. and Mrs. Wieneke have not been able to get in or out of there property due to high water. Aaron Anderson reported he was invited to meet with Linn County Engineer Gannon, County Supervisor Linda Langston and Mr. and Mrs. Wieneke regarding this matter.

Council directed Mr. Anderson to request the meeting he was asked to attend with County Supervisor Linda Langston, County Engineer Steve Gannon, Annette and Butch Wieneke to be open to the public. Mr. Anderson was also directed to contact Keith Schulte and Katie Jo Bruhn re: status of that meeting; and to advise those attending of Ely's concerns regarding safety of the proposed detour for Linn County's 2014 Ely Road "white topping" project.

Hoover Nature Trail

Report of Recommended Trail Alignment to Extend Hoover Trail from Rowley/State Street to Johnson County Line – Todd Happel, Anderson-Bogert Engineers. Todd Happel, of Anderson Bogert Engineers - consulting engineer for Linn County Conservation, reported Linn County Conservation commissioned Anderson-

Bogert to identify possible alignments to extend the Hoover Nature Trail from the Ely Community Center south to the Johnson County line. Mr. Happel reported Anderson-Bogert identified six possible alignments and held an open house to discuss them with the public. He reported that after reviewing public input, input from Linn County Secondary Roads staff, Linn County Conservation staff and Ely staff, Anderson-Bogert recommended alignment "Number 1" to the Linn County Conservation Board. Mr. Happel reported this proposed alignment runs along the east side of State Street as a 10' wide grade separated trail section. Mr. Happel reported Linn County Conservation concurred with the recommendation.

Mr. Happel discussed the report with the Mayor, City Council and others in attendance. Comments include, but are not limited to, the following from Terry Smith: drainage issues related to a culvert that feeds into State Street from the north one lot from Rock Island Road, presence of a lot of utilities in the right of way, bike trail may make area less desirable for commercial development, risk or liability litigation for neighboring property owners, and snow removal throws a lot of salt and gravel in the area of the trail which poses a threat for bicyclists. Mr. Happel reported Linn County does not have funding to construct the trail segment at this time, and does not know when funding will be available.

City Council directed further discussion of this matter to be included with the agenda for a State Street Upgrade Project workshop meeting.

Park Improvement Projects

Quotes for Restoration of City Park Utility Extension Project. Clerk/Administrator Anderson reported Ely received quotes from the firms suggested last meeting, and the quote of \$9,880 from Johnson Brothers Landscaping of Iowa City is the low cost quote received. Stanek moved to accept the quote from Johnson Brothers Landscaping to perform project restoration for the City Park Utility Extension Project for \$9,880; second by Ballantyne. Motion carried – 4 to 0.

Stop Intersections and No-Parking Locations in Southbrook 10th Addition

Public Hearing re: Ordinance Enacting Stop and No-Parking Locations in Southbrook 10th Addition. – 7:00 p.m. Stanek moved to open a public hearing re: proposed Ordinance No. 235 which would enact no-parking and stop sign locations in Southbrook 10th Addition at 7:59 p.m., second by Ballantyne. Motion carried – 4 to 0. Mayor Doyle declared the public hearing open at 7:59 p.m.

Clerk-Administrator Anderson reported notice was published and posted as required, and no comments regarding the public hearing item received. Mayor Doyle asked for comments from the public. Keith Schulte stated it looks like the ordinance was originally drafted using preliminary plat of the area and that he believes the one-side of street parking on Eastland Lane listed as number 9 in the ordinance is unnecessary. Mayor Doyle asked for other comments from the public, none were offered.

Stanek moved to close the public hearing at 8:04 p.m., second by Grove. Motion carried – 4 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 8:04 p.m.

First Reading of Ordinance No. 235, Enacting Stop and No-Parking Locations in Southbrook 10th Addition. Ballantyne moved to introduce Ordinance No. 235, Enacting Stop and No-Parking Locations in Southbrook 10th Addition, strike item 9 from Section 3 and approve the first reading subject to said items removal; second by Stanek.

Aye: Stanek, Grove, Rasmussen, Ballantyne

Nay: None

Absent: Hale

Mayor Doyle declared the motion carried, Ordinance No. 235 introduced and the first reading of said ordinance approved, subject to the revision noted above - 4 to 0.

Public Works – Streets, Water, Sewer & Equipment

Resolution No. 13-0408-11, Accepting Quote for 2013 HMA Street Resurfacing – Plainview Road. Clerk/Administrator Anderson reported Ely has not yet received all the quotes requested for this work. No action was taken on this matter.

Resolution No. 13-0408-12, Accepting Quote for 2013 Chip & Seal Street Maintenance. Mayor Doyle reported Ely received a quote from L.L Pelling to perform chip and seal street maintenance on Vavra Drive and Vista Road at a cost of \$20,380.10 as spelled out in a quote dated April 1, 2013; and that the resolution accepts this quote. Stanek moved to approve Resolution No. 13-0408-12, Accepting Quote for 2013 Chip & Seal Street Maintenance, second by Rasmussen.

Aye: Stanek, Grove, Rasmussen, Ballantyne

Nay: None

Absent: Hale

Mayor Doyle declared the motion carried and resolution approved – 4 to 0.

Street Sweeper Purchase. City Administrator reported Public Works Director Ron Stark is seeking quotes to purchase a used street sweeper, and recommends a mechanical brush type unit. Anderson reported arrangements are possible to take delivery of a unit before July 1 and pay after July 1. It was the consensus of the City Council that the City is committed to purchasing an acceptable street sweeper and authorized Mr. Stark to fully investigate available units within maximum budget of \$35,000.

State Street Improvements and Upgrade

Discuss Preliminary Version of State Street Corridor Study. City Engineer Scott Pottorff presented a report on the State Street Corridor Study. Mr. Pottorff discussed this report with Mayor Doyle and the City Council, including conditions of culverts that cross under State Street north of Merry Hill Lane, and that Mr. Pottorff directed the fiber optic cable installation contractor for Southslope Telecommunications to install fiber optic cable as close to the right of way edge as possible. Mayor and City Council scheduled a workshop meeting for the State Street Improvements project and Hoover Nature Trail alignment for 6:00 p.m. Monday April 22, 2013.

Authorize Submitting State Street Improvements as a Corridor MPO “Connections 2040” Project. Stanek moved to authorize submitting the State Street Improvements project

to the Corridor Metropolitan Planning Organization for inclusion as a “Connections 2040” project, based the State Street Corridor Study and further discussion at workshop session; second by Ballantyne. Motion carried – 4 to 0.

Storm Water Management

Application for MS4 NPDES Operator Permit to Iowa Department of Natural Resources. Stanek moved to authorize submitting an application to the Iowa Department of Natural Resources for an MS4 NPDES Operator Permit, as outlined by the City Administrator and to authorize payment of the \$1,250 “application fee”; second by Grove. Motion carried – 4 to 0.

Sign Standards of Ely Zoning Ordinance

Schedule Public Hearing re: Revised Ordinance No. 234, Revising the Sign Regulations of the Ely Zoning Ordinance. City Administrator Anderson reported Planning and Zoning completed follow up review of the proposed changes to Ely’s sign standards and regulations and forwarded a proposed ordinance for City Council consideration. Stanek moved to schedule a public hearing regarding proposed ordinance No. 234 for 7:00 p.m. Monday May 13, 2013, second by Grove. Motion carried – 4 to 0.

Budget and Finance

Schedule Public Hearing re: Amendment of FY 2012-13 Budget. Stanek moved to schedule a public hearing for 7:00 p.m. May 13, 2013 re: amending the current year budget as follows; second by Grove. Motion carried – 4 to 0.

General Fund Revenues

Item	Approved Budget	Amendment	Amended Budget
Recreation Fees - Baseball	\$7,500	\$2,185	\$9,685
Reimbursements – Fall Fest Petty Cash	\$2,000	\$932	\$2,932

General Fund Expenditures

Item	Approved Budget	Amendment	Amended Budget
Recreation Program – Baseball	\$6,000	\$2,185	\$8,185
Petty Cash – Fall Fest	\$2,000	\$932	\$2,932
Transfer to Capital Projects - Sirens	\$6,024	\$11,871	\$17,895
Transfer to Library Cap. Project Fund	\$0	\$9,042	\$9,042

Road Use Fund - Expenditures

Item	Approved Budget	Amendment	Amended Budget
Roads & Bridges – Contract Work	\$127,747	\$30,000	\$147,747

Debt Service Fund - Revenues

Item	Approved Budget	Amendment	Amended Budget
Transfer In from TIF	\$171,413	\$11,710	\$183,213

Debt Service Fund – Expenditures

Item	Approved Budget	Amendment	Amended Budget
Interest – 2012 Sewer Refunding - GO	\$0	\$11,710	\$11,710

TIF Fund - Expenditures

Item	Approved Budget	Amendment	Amended Budget
Transfer Out To Debt Service	\$171,413	\$11,710	\$183,213

Capital Projects Fund - Revenues

Item	Approved Budget	Amendment	Amended Budget
Transfer In from General Fund	\$6,024	\$11,871	\$17,895

Capital Projects Fund - Expenditures

Item	Approved Budget	Amendment	Amended Budget
Emergency Alert Sirens	\$40,154	\$11,871	\$52,025
Dows Streetscape – Trash Cans	\$0	\$4,665	\$4,665

Library Capital Projects Fund - Revenues

Item	Approved Budget	Amendment	Amended Budget
Transfer In from General Fund	\$0	\$9,042	\$9,042

Library Capital Projects Fund - Expenditures

Item	Approved Budget	Amendment	Amended Budget
Sewer Line Repair	\$0	\$9,042	\$9,042

Water Utility Fund - Expenditures

Item	Approved Budget	Amendment	Amended Budget
Water Capital Projects – Construction	\$20,000	\$18,000	\$38,000

Sewer Debt Service Revenues

Item	Approved Budget	Amendment	Amended Budget
Bond Proceeds – 2012 IFA Refunding	\$0	\$2,353,250	

Sewer Debt Service Expenditures

Item	Approved Budget	Amendment	Amended Budget
Principal 2007 WWTF IFA note	\$105,000	\$1,988,000	\$2,093,000
Principal 2007 Rogers Creek IFA Note	\$16,000	\$337,000	\$353,000
Professional Services – Bond Issuance	\$0	\$43,079	\$43,079

Sources of Funds for Capital Projects in FY 2013-14 Budget. Mayor Doyle and City Council members discussed capital projects that were included in the FY 2013-14 budget, sources of funds to pay for the projects, and priorities. Projects discussed include: Hoover Nature Trail extension to the Community Center, City Park restroom/concession stand/shelter building, Downtown Dows Street Parking lot, and Park Parking lots. Items discussed include, but are not limited to: purpose and uses of park restroom/concessions/shelter building, correlation of strategic plan suggestions for a Recreation Center and the proposed park restroom/concessions/shelter building; the State Street Improvements project and limited future availability of TIF and LOST revenues.

Resolution No. 13-0408-10, Accepting Contract for Architect/Design Services for Concession Stand and Playground Area at Ely City Park. Clerk/Administrator Anderson reported Parks Commission solicited a proposed scope of services and fee for architectural services to design and build a restroom/concession stand building at Ely City Park from Solum-Lang Architects of Cedar Rapids with proposed fee not to exceed \$16,000.00. He noted the proposed resolution would accept the architect services agreement. Mayor Doyle and City Council discussed. Items discussed include: as presented this could be the first stage for an eventual lodge as presented roughly three years ago; level of public awareness of the lodge concept and cost; correlation to possible recreation and culture center; and whether the City should determine feasibility of the community recreation/culture center before proceeding with this building. City Council suggested a public open house or similar method

of community outreach regarding the City Park restroom/concession stand building. Rasmussen moved to approve Resolution No. 13-0408-10, a second was not offered. The motion died for lack of a second.

Administrative, Personnel and Staffing

Accept Quote for Employee Group Life Insurance. Stanek moved to accept quote for \$10,000 employee life insurance benefit from Scott Draper for annual premium of \$276.00, second by Ballantyne. Motion carried – 4 to 0.

Accept Quote for Mowing Services. Clerk/Administrator Anderson reported Ely received the following quotes for mowing services:

- Emerald Green Lawncare, Martelle IA, \$205 w/out alternate; \$240 w/alternate (valid through 2015)
- Berns Brothers, Swisher, \$235 w/out alternate; \$255 w/alternate (valid through 2015)
- Buresh Lawncare and Landscaping, Mabie Rd, Ely, \$265 w/out alternate; \$300 w/alternate. (Base is \$273 for 2014, \$281 for 2015).
- Green Streak Landscaping, Jappa Rd. Ely, \$280 w/out alternate; \$320 w/alternate.

Stanek moved to accept the quote from Emerald Green Lawncare, including alternate; second by Ballantyne. Motion carried – 4 to 0.

Discussion Items

Bill Grove noted concerns regarding walnut trees on the lot purchased for the downtown Dows Parking lot; Public Works will investigate and report back.

Fire Chief Randy Zbanek asked the status of installing and activating the two new emergency sirens, and noted that he was contacted on this matter when it's a city project. Aaron Anderson reported the vendor is waiting for Linn County EMA to assign "address codes" for Ely's sirens for remote activation.

Stanek moved to adjourn, second by Rasmussen; motion carried – 4 to 0. The meeting adjourned at 9:50 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator