

**ELY CITY COUNCIL
REGULAR MEETING
APRIL 9, 2012
ELY CITY COUNCIL CHAMBERS**

Mayor Jim Doyle called the meeting to order at 7:00 p.m. Council members present: Dale Stanek, Bill Grove, Kay Hale, Dave Rasmussen and Bob Ballantyne. Also present: Jim Miller, Bob Mreen, City Engineer Scott Pottorff and Clerk-Administrator Aaron Anderson.

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

Stanek, second by Hale, moved to approve the Consent Agenda consisting of:

- Agenda
- Minutes of the March 12, 2012 regular City Council meeting.
- Treasurers Report for the period ended March 31, 2012.
- Bills Payable for March 2012 totaling \$50,931.32.
- Renewal of a Class C Liquor Permit with Sunday Sales Privileges for the St. Quentin Post #555 of the American Legion, 1545 Main Street.

Motion carried – 5 to 0.

Treasurer's Report (summary) for the period ended March 31, 2012

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 16,634.76	\$ 31,006.51		\$ 561,096.91
Road Use	15,972.25	8,668.32		57,559.21
L O S T	18,174.65			184,992.82
TIF Fund	2,081.38			128,299.72
Debt Service				-285,556.38
Other Projects		74,380.78		327,542.90
Library Project				2,749.22
Way Point Sign				-7,110.22
North End Infra	250.00			-28,589.93
Water Utility	15,630.08	16,994.04		265,557.10
Water/Sewer Reserve				100,000.00
Sewer Utility	23,114.70	10,865.19		181,864.53
Sewer Debt Service				-122,333.10
Sanitary Utility	6,332.57	6,164.47		45,511.41
Farmers Market	215.00	35.00		710.01
PR Clearing	9,318.38	8,322.36		2,562.10
Totals	\$ 107,724.07	\$ 156,436.67		\$ 1,412,856.30

Communications: Linn County Deputy Sheriff presented and discussed the Sheriff's Department monthly activity report.

Citizen Requests. Jim Miller said the company that did the bridge abutment work did a good job, especially by taking out trees by the bridge on Vista Road.

Boards & Commissions

Appointments to Planning and Zoning Commission: Luanne Miller, 1960 E Pacific St., and Bob Mreen, 1095 Vista Rd. Mayor Doyle reported five residents were interested in joining the Planning and Zoning Commission; and the Planning and Zoning Commission met with the interested people and recommended Luanne Miller and Bob Mreen to the vacancies on the board. Ballantyne moved to appoint Luanne Miller, 1960 E Pacific St., and Bob Mreen, 1095 Vista Rd. to the Planning and Zoning Commission, second by Hale. Motion carried – 5 to 0.

Extension of Water Main to 1070 State Street, and Assessment of Cost to Property Owner. City Administrator Anderson reported the proposed agreement was revised per City Council's direction in March; and was told the most recently revised version of the agreement is acceptable by Walt Stegall, the attorney for Brad and Greg Mahoney

Resolution No. 12-0409-06, Approving Agreement. Stanek moved to approve Resolution No. 12-0409-06, Approving Agreement, second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

Reallocation of Unspent Bond Proceeds from 2011 Hillcrest St., Jappa Road and Refunding GO Series 2011 Note & Dows Streetscape GO Series 2011B Note to Use Unspent Proceeds for Downtown/Main Street Parking Lot Project.

Public Hearing re: Reallocation of Bond Proceeds. Ballantyne moved to open a public hearing regarding reallocation of a total of \$29,000 of the proceeds from the General Obligation notes issued in 2011 for the Hillcrest/Jappa Road and Dows Street projects at 7:22 p.m., second by Stanek. Motion carried – 5 to 0. Mayor Doyle declared the hearing open at 7:22 p.m. Clerk-Administrator Anderson reported notice was published as required; and no comments were received verbally or in writing prior to the meeting.

Mayor Doyle asked for comments regarding the public hearing item. Dave Rasmussen asked if the reallocated bond proceeds will be used to help pay for purchasing the property or paving the parking lot. City Administrator Anderson reported the bond proceeds will be used for demolition of the house and paving the parking area. Jim Doyle asked if Ely is reallocating \$26,000 from the Hillcrest Street/Jappa Rd GO bond issue and \$3,000 from the Dows Street GO bond issue; Aaron Anderson replied yes.

Mayor Doyle asked for further comments regarding the public hearing item; none were offered or presented. Stanek moved to close the public hearing at 7:24 p.m.; second by Hale. Motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 7:24 p.m.

Resolution No. 12-0409-13, Instituting Proceedings to Take Additional Action and Approving the Reallocation of Certain Unspent Proceeds of the General Obligation Capital Loan Notes Series 2011 and Series 2011B, Respectively, of the City of Ely, Iowa. Dows Streetscape Project. Ballantyne moved to approve Resolution No. 12-0409-13; second by Stanek.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

Downtown Dows Streetscape Project

US Flags for Downtown Dows Streetscape Area. Mayor Doyle reported Council member Ballantyne expressed interest in displaying the US flag for patriotic holidays from the decorative light poles in the downtown Dows Street area; Council members Kay Hale, Bill Grove, and Bob Ballantyne each handed Mayor Doyle a personal check to help pay for US flags and hardware. Ballantyne moved to authorize up to \$675.00 to purchase poles and 3' x 5' US flags to display in the downtown Dows Street area; second by Grove. Motion carried – 5 to 0.

Policy re: Banners Displayed from City Light Poles. Stanek moved to approve “Downtown Dows St. Banner Policy & Guidelines” as presented; second by Hale. Motion carried – 5 to 0.

2011 Water Tower Improvements Project

Request for Final Acceptance of Work Under Contract “C” – E&J Electric. Mayor Doyle reported City Engineer Scott Pottorff reviewed the work performed under Contract C of the 2011 Water Tower Improvements Project, reported the work is complete as called for by the contract and that Mr. Pottorff recommends final acceptance of the work. Stanek moved to approve final acceptance of work performed under Contract “C” with E&J Electric, for the 2011 Water Tower Improvements Project; second by Ballantyne. Motion carried – 5 to 0.

Request for Final Payment under Contract “C” – E&J Electric. Ballantyne moved to approve final payment and payment of retainage for the amount of \$1,599.60 to E & J Electric for work performed under Contract C of the 2011 Water Tower Improvements Project; second by Stanek. Motion carried – 5 to 0.

Request for Final Acceptance of Work Under Contract “D” – Northway Well & Pump Service. Mayor Doyle reported City Engineer Scott Pottorff reviewed the work performed under Contract D of the 2011 Water Tower Improvements Project, reported the work is complete as called for by the contract and that Mr. Pottorff recommends final acceptance of the work. Stanek moved to approve final acceptance of work performed under Contract “D” with Northway Well & Pump Service, for the 2011 Water Tower Improvements Project; second by Grove. Motion carried – 5 to 0.

Request for Final Payment Under Contract “D” - Northway Well & Pump Service. Stanek moved to approve final payment and payment of retainage for the amount of \$2,686.15 to Northway Well & Pump Service for work performed under Contract “D” of the 2011 Water Tower Improvements Project; second by Hale. Motion carried – 5 to 0.

Public Works – Streets, Water, Sewer & Equipment

Seal Coat Program – 2012. City Administrator Anderson reported Public Works Director Ron Stark suggests directing seal coat work to maintain Vista Road at estimated cost of \$8,944.65 from L.L. Pelling. Ballantyne moved to authorize proceeding on the 2012 Street Seal Coat Program as suggested by Public Works Director; second by Stanek. Motion carried – 5 to 0.

Review Proposed Street Resurfacing Program and Authorize Proceeding to Solicit Bids for 2012 Component. Mayor and City Council reviewed Public Works Director’s proposed five – year program for resurfacing streets; including the possibility of using concrete instead of asphalt to resurface some streets. Stanek moved to proceed to solicit quotes for the 2012 portion of the 2012 Street Resurfacing Program, with concrete as an alternate option; second by Ballantyne. Motion carried – 5 to 0.

Request to Remove “No Through Trucks” Signs from the Southbrook Area. City Administrator Anderson reported a few residents have requested the “No Trucks” signs the city installed in the Southbrook area be removed. He noted the City temporarily banned through trucks in this area in conjunction with the State Street Bridge project; and that the ban has expired. City Council discussed the request; including that this area is not a likely route for through traffic, safety issues and other matters. Stanek moved to authorize City staff to remove the “No-Through Trucks” signs in the Southbrook area, second by Rasmussen. Motion carried- 3 to 2; Grove and Ballantyne opposed.

Trees in Right of Way - Report on Maintenance and Removal. City Administrator reported on maintenance and removal of trees in city right of way.

Ely Recreational Trail TLC Program. City Administrator reported on a proposal to set up a program to encourage volunteers to maintain recreational trails in Ely, including the Hoover Trail.

Community Garden Rules & Procedures. Stanek moved to approve the Community Garden Rules & Procedures as drafted by a group interested in Community Garden and presented to City Council; second by Hale. Motion carried 4 to 0; Grove temporarily absent.

Budget and Finance

Schedule Public Hearing re: Amending Current Year Budget. Stanek moved to schedule a public hearing for 7:00 p.m. Monday May 14, 2012 regarding amending the current year FY 2011-12 budget as follows:

General Fund Revenues

Item	Approved Budget	Amendment	Amended Budget
Fall Fest Proceeds – Parks	\$23,000	\$7,547	\$30,547
Donations - Parks	\$0	\$1,600	\$1,600
Recreation Fees & Sponsorships	\$3,750	\$5,660	\$9,410

General Fund Expenditures

Item	Approved Budget	Amendment	Amended Budget
Parks	\$67,793	\$49,935	\$117,728
Recreation Activities	\$3,600	\$5,660	\$9,260
Comm. Beautification – Banners/Flags	\$0	\$625	\$625
Transfer to Capital Projects	\$0	\$55,620	\$55,620

Road Use Fund - Revenues

Item	Approved Budget	Amendment	Amended Budget
Road Use Tax Proceeds	\$159,620	\$20,840	\$180,460

Road Use Fund - Expenditures

Item	Approved Budget	Amendment	Amended Budget
Roads & Bridges	\$124,209	\$20,840	\$145,049

Capital Projects Fund - Revenues

Item	Approved Budget	Amendment	Amended Budget
Transfer In from General Fund	\$0	\$55,620	\$55,620

Capital Projects Fund - Expenditures

Item	Approved Budget	Amendment	Amended Budget
Downtown & Main Street Parking Lot	\$0	\$84,620	\$74,620
Transfer Out to Debt Service	\$0	\$275,000	\$275,000

Debt Service Fund

Item	Approved Budget	Amendment	Amended Budget
Transfer In from Capital Projects	\$0	\$275,000	\$275,000

Ballantyne seconded the motion. Motion carried - 4 to 0; Grove temporarily absent.

Resolution No. 12-0409-14, Authorizing Inter-Fund Transfers. Stanek moved to approve Resolution No. 12-0409-14, second by Ballantyne.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

Renewal of General Property, Liability, and Equipment Policy with Millhiser Smith Agency and Authorize Payment of Premium. Stanek moved to approve renewal of the City's General Property, Liability, Vehicle, and Equipment Policy with Millhiser Smith Agency at total premium of \$14,736.00; second by Ballantyne. Motion carried – 5 to 0.

Sanitary Sewer Use Rate

Report re: Refinance Options and Rate. City Administrator Anderson reported on general obligation debt capacity and debt payment schedules. City Council discussed options for possibly re-issuing some of the WWTP debt as general obligation debt.

Personnel and Staffing

Policy re: Paid Leave for Emergency Services Providers. Mayor and City Council discussed a personnel policy which would grant paid leave for full-time City employees who are members of the Ely Fire Department to respond to fire calls during regular work hours.

Review & Discuss Draft City of Ely Employee Handbook. Mayor and City Council discussed a draft version of an Employee Handbook which includes personnel policies and related matters. This matter will be considered again in May.

Discussion Items - None

Hale moved to adjourn, second by Grove; motion carried – 5 to 0. The meeting adjourned at 8:55 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator