

**ELY CITY COUNCIL  
REGULAR MEETING  
APRIL 11, 2011  
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, Stephanie Mai and Bob Ballantyne. Also present: Tom Rohner, Vicki Vargason, Mari Miller, Jim Miller, Mark Banowetz, Hailee Reist, Melissa McMurrin, Tom Tjelmeland, Randy Zbanek, April Streuhm, Chris Streuhm, Jeff Hilleman, Kathleen Banowetz, City Engineer Scott Pottorf and Clerk-Administrator Aaron Anderson.

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

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

- Agenda.
- Minutes of the March 14, 2011 regular City Council meeting.
- Minutes of the April 5, 2011 City Council workshop meeting
- Treasurers Report for the period ended March 31, 2011.
- Bills Payable for April, 2011 totaling \$93,200.15
- Renewal of Class C Liquor Permit, American Legion Post #555, 1545 Main Street
- Resignation from Ely Library Board, Mary Ballantyne – with the Mayor and City Council’s respect and appreciation for service to the community.

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended March 30, 2011

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 51,888.66	\$ 19,996.93		\$ 567,165.95
Road Use	16,248.44	4,883.23		29,852.48
L O S T	12,969.67			116,112.76
TIF Fund	2,507.69			84,513.80
Debt Service	705.38			22,604.84
Other Projects	171.00	15,250.11		-150,681.11
Library Project				60,608.22
Way Point Sign	450.00			12,041.65
North End Infra	26.00			-28,193.93
Water Utility	15,739.80	72,381.01		216,128.84
Water/Sewer Reserve				100,000.00
Sewer Utility	87,897.25	12,707.70		162,701.68
Sewer Debt Service				-83,925.01
Sanitary Utility	5,041.80	5,731.42		45,848.04
Farmers Market				442.00
PR Clearing	8,187.85	5,416.09		2,411.35
Totals	\$ 201,833.34	\$ 136,366.49		\$ 1,157,641.56

**Communications:** Deputy Johnson of the Linn County Sheriff’s Office presented the Monthly Activity Report. Mayor Doyle summarized other correspondence received.

**Citizen Requests.** Bill Grove reported on improper dumping at the compost and brush piles, noting that public works employees report the invalid materials corrupt the final compost product such that it cannot be used, and increases personnel cost to clean up and separate. Mr. Grove reported Public Works Director Stark wants to install a cable across the lane north of the public works area gate to prevent illicit after hours dumping. Mr. Grove suggested a security camera and lights. Council directed City Administrator Anderson to present a plan at the May meeting.

Jim Miller reported a cable across the lane is acceptable with him, on a trial basis.

### **2011 Hillcrest Street Improvements Project**

**Discuss Placing a Stop or Yield Sign for West Bound Traffic on Highland Road at Intersection with Hillcrest Street.** City Council discussed requiring traffic that is west bound on Highland Road to stop or yield at the intersection with Hillcrest Street. Stanek moved to schedule a public hearing for 7:00 p.m. May 9, 2011 re: an ordinance to place a stop sign for west bound traffic on Highland Road at Hillcrest Street; second by Ballantyne. Motion carried – 5 to 0.

### **Curbside Garbage & Recyclables Collection Rate**

**Discuss Notification from Waste Management of Increase to Garbage Collection Rate.** Mayor Doyle reported Waste Management notified the city of their intent to increase their collection fee for curb-side collection of garbage and recyclables to \$7.22/month per household, Ely currently charges households \$7.00 to cover the cost of this service. City Council discussed options, and directed City Administrator to prepare a Request for Proposals to consider and review at the next regular meeting.

### **2011 General Obligation Bond to Pay for 2011 Hillcrest St. Improvements, 2011 Jappa Road Improvements (w/Linn County), and Refinance 2000 and 2002 GO Issues.**

**Resolution No. 11-0411-23, Appointing Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agreement and Authorizing the Execution of Same.** Stanek moved to approve Resolution No. 11-0411-23, second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Approve Form of Tax Exemption Certificate for a \$780,000 General Obligation Capital Loan Note, Series 2011.** Stanek moved to approve the Form of Tax Exemption Certificate for a \$780,000 General Obligation Capital Loan Note, Series 2011; second by Ballantyne. Motion carried – 5 to 0.

**Resolution No. 11-0411-24, Approving and Authorizing Form of Loan Agreement and Authorizing and Providing for the Issuance of Capital Loan Notes and Levying a Tax to Pay the Notes.** Stanek moved to approve Resolution No. 11-0411-24, second by Hale.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**One Side of Street Parking – Recommendation from Planning & Zoning Commission.**

Mayor and City Council reviewed a recommendation regarding establishing one-side of street parking from the Ely Planning & Zoning Commission; discussion included concerns with ability of emergency and similar wide vehicles to travel streets where vehicles are parked on both sides, criteria for which side of street parking would be prohibited, and the north segment of Walker between Traer and Fuhrmeister.

**Water Tower and Water System Improvements Project**

**Payment Request No. 2, Phoenix Fabricators, Water Tower Construction Contract.**

Stanek moved to approve and authorize payment of Payment Request No. 2 from Phoenix Fabricators for the Water Tower Construction contract for the amount of \$100,320.00; second by Mai. Motion carried – 5 to 0.

**Amendment of FY 2010-11 Budget**

**Schedule Public Hearing re: Proposed Amendment of Current Year Budget.** Stanek moved to schedule a public hearing for 7:00 p.m. May 9, 2011 regarding proposed amendment of the FY 2010-11 budget as follows.

**Capital Projects Fund - Revenues**

Item	Approved Budget	Amendment	Amended Budget
Proceeds of Debt	\$120,000		\$774,384
Transfer from General Fund	\$0	\$10,000	\$10,000

**Capital Projects Fund - Expenditures**

Item	Approved Budget	Amendment	Amended Budget
Dows Streetscape	\$25,000	\$25,000	\$50,000
Hillcrest Street Improvements	\$200,000	\$180,000	\$380,000
Trails	\$0	\$83,265	\$83,265
Totals	\$225,000	\$288,265	\$513,265

**North Waypoint/Sign Project Fund Revenues**

Item	Approved Budget	Amendment	Amended Budget
Private Donations	\$0	\$4,420	\$4,420
Corporate Donations - Grants	\$0	\$8,550	\$8,550
Intergovernmental - Grants	\$0	\$16,804	\$16,804
Transfer from General Fund	\$0	\$16,661	\$16,661
Total		\$46,435	\$46,435

**North Waypoint/Sign Project Fund Expenditures**

Item	Approved Budget	Amendment	Amended Budget
Entrance Sign	\$0	\$25,092	\$25,092
Site Preparation & Plantings	\$0	\$21,343	\$21,343
Total	\$0	\$43,435	\$43,435

**Farmers Market “Enterprise” Fund Revenues**

Item	Approved Budget	Amendment	Amended Budget
Marketer Fees – Season	\$0	\$231	\$231
Marketer Fees – Winter	\$0	\$211	\$211
Private & Corp Donations	\$0	\$0	\$0
Intergovernmental - Grants	\$0	\$0	\$0
Total		\$442	\$442

**Farmers Market “Enterprise” Fund Expenditures**

Item	Approved Budget	Amendment	Amended Budget
Advertising, Promotions	\$0	\$392	\$392
Miscellaneous	\$0	\$50	\$50
Total		\$442	\$442

Hale seconded the motion. Motion carried – 5 to 0.

**Community Entrance Signs**

**Competitive Quote for Sign Assembly and Installation Services for One Community Entrance Sign.** City Administrator reported request for quotes were sent to three qualified firms. Ely received only one quote in response. The quote received is from Sign Productions to perform the specified work at a lump sum cost of \$9,175.00. Mr. Anderson also reported Ely has not yet received written authorization from IaDOT to proceed under the Iowa Living Roadways Project grant. Ballantyne moved to accept the quote from Sign Productions, contingent upon receipt of authorization from IaDOT to proceed under the grant agreement, second by Grove. Motion carried – 5 to 0.

**Quote for Stone, Shaping and Delivery of One Community Entrance Sign.** Stanek moved to accept the quote for stone shaping and delivery of a community entrance sign using three fused pieces of limestone from Weber Stone for \$14,717.00 contingent upon receipt of authorization from IaDOT to proceed under the grant; second by Ballantyne. Motion carried – 5 to 0.

**Downtown Dows Street Streetscape Project**

**Acknowledge Receipt of Petition titled “Stop the Dows Street Streetscape 2011”.** Stanek moved to acknowledge receipt of a petition titled “Stop the Dows Street Streetscape 2011” which was signed by 146 persons, noting the address shown for 32 of the signatories is not within Ely city limits; second by Mai. Motion carried – 5 to 0.

**Resolution No. 11-0411-25, Approving Contract, Performance Bond and Insurance for 2011 Dows Street Streetscape Improvements Project.** Mayor Doyle reported Rathje Construction has not provided signed contract, performance/payment bond and certificate of insurance as required. Ballantyne moved to table Resolution No. 11-0411-25, second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Resolution No. 11-0411-26, Approving Contract, Performance Bond and Insurance for Decorative Street Lights.** Mayor Doyle reported Van Meter Industrial has not provided signed contract, performance/payment bond and certificate of insurance as required. Stanek moved to table Resolution No. 11-0411-26, second by Ballantyne.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Resolution No. 11-0411-27, Authorizing Alliant Energy to Remove Certain Listed Street Lights from the City of Ely Street Light System.** Mai moved to table Resolution No. 11-0411-27, second by Stanek.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Policy re: Cost to Relocate Utility Service Connections on Private Property Associated with a City Project.** Mai moved to adopt the following policy regarding the cost of relocating utility service connections on or for private property when said relocation is due to, or associated with, a City sponsored construction project.

“The City of Ely will pay the cost for work or changes to a private (non-city) property needed for a property to retain current level of utility service if the service connection for utilities needs to be changed due to relocation of that utility for a City sponsored project. This policy statement applies to all utilities, whether city owned such as water or sanitary sewer; or private, non-city owned utilities including, but not limited to: electricity, natural gas, telephone, cable television, and internet service.”

Ballantyne seconded the motion. Motion carried – 5 to 0.

### **Discussion Items**

Bob Ballantyne reported community gardens are delayed due to water tower construction. He stated those interested are working with him and City Administrator to identify site, procedures and so forth.

Bill Grove stated he would like a clear plan for response to tornadoes and other disaster or emergency situations. City Administrator was directed to pursue this matter.

Randy Zbanek, Fire Chief, Ely-Putnam Volunteer Fire Chief, presented the following:

- One Side of Street Parking – Is not needed for older areas of Ely, where the streets are wide enough for emergency vehicles when vehicles are parked on both sides of street. He stated one-side of street parking is needed for newer subdivisions.
- The City Council should have been more involved in building the trail segment from Wright Brothers Blvd to Ely City Park, including the segments located outside Ely city

limits. Mr. Zbanek stated he spoke with representatives of the contractor who are concerned with the “hump” over the creek by Cozzie’s, and some of the sharper turns. Guard rails or cables were suggested.

Ballantyne moved to adjourn, second by Grove; motion carried – 5 to 0. The meeting adjourned at 8:21 p.m.

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James E. Doyle Jr., Mayor

Attest:

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Aaron Anderson, Clerk/Administrator