

**ELY CITY COUNCIL
REGULAR MEETING
APRIL 13, 2015
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, Judy Wery, and Bob Ballantyne. Also present: Jim Miller, Marie Miller, Ellen Jones, Glen Buresh, Frances Buresh, Chuck Crutchly, Karen Crutchly, Kelby Swanson, Fred Showalter, Betty Showalter, Mike Houlihan, Christine Trpkosh, Craig Trpkosh, Hannah Thurston, D.J. Wakker, Paul Fiegen, Chelsea Behrens, Terry Smith, Marv Peters, Sarah Sellon, Butch Wieneke, Kathleen Banowetz, Katie Jo Bruhn, Stephanie Mai, City Engineer Scott Pottorff, and Clerk-Administrator Aaron Anderson.

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

Mayor Doyle recognized Marv Peters who introduced Mike Houlihan for recognition as a veteran from the Ely area. Mr. Peters reported Mr. Houlihan served in the 445th Transportation of the Army Reserves, which is a unit that retired from active status after World War 2 and was reconstituted as a palletized transport unit of the Army Reserve. Mr. Houlihan enlisted as a motor transportation specialist, and his life was changed irrevocably by the events of September 11, 2001. Mr. Houlihan transferred to the 308th Transport and was assigned to Kuwait where he was tasked to transport into Iraq and had to deal with minimally armored vehicles. Mr. Houlihan was later assigned to security for the 308th in Iraq and supported missions there from February 2004 through 2005. Mr. Houlihan did not reenlist in 2005, and returned to Iowa where he works as a painter for Bob Mckie Auto Paint. Mr. Peters noted Mr. Houlihan is active in the American Legion and the Ely Community. Mayor Doyle and City Council members recognized and expressed appreciation to Mr. Houlihan for his service to the nation.

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

- Agenda, as presented.
- Minutes of the March 9, 2015 regular meeting.
- Treasurer's Report for the period ended March 31, 2015.
- Bills Payable for April, 2015 totaling \$117,809.97
- Renewal of Class C BW (Beer Wine) Liquor License – St Quentin Post #555 of the American Legion, 1545 Main St.
- Renewal of Class C Beer License with Living Quarters and Sunday Sales Privileges – Cleppe's 66 Service, 1555 State St.
- Reimbursement Under Sidewalk Program of \$3,375.00 to St John Lutheran Church, 1420 Walker St.

Motion carried – 5 to 0.

Treasurer's Report (summary) for the period ended March 31, 2015

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 29,989.22	\$ 37,846.33		\$ 658,440.87
Road Use	16,183.92	9,939.95		13,093.78
L O S T	15,434.67			309,518.47

TIF Fund	3,243.21		161,924.18
Debt Service			-19,368.36
Other Projects		9,403.32	653,582.29
Library Project			-64.23
Way Point Sign			-25,065.70
North End Infra			-25,589.93
Water Utility	18,857.98	14,760.30	289,924.78
Water/Sewer Reserve	5,888.34		155,809.82
Sewer Utility	28,496.85	22,986.60	68,714.77
Sewer Debt Service	11,788.34		103,009.86
Sanitary Utility	6,551.98	5,124.00	39,575.80
Storm Water	46.00		671.90
Farmers Market			1,220.76
PR Clearing	12,561.73	11,619.08	2,348.78
Totals	\$ 142,042.24	\$ 111,679.58	\$ 2,396,747.84

Communications. Library Director Sarah Sellon presented a report on activities at the Ely Public Library. Linn County Deputy Egli distributed the monthly Sheriff's Office Activity Report. Butch Wieneke asked Deputy Egli the legality of a bike running a stop sign; Deputy Egli replied it is illegal and the bicyclist could be ticketed at the discretion of the observing officer.

Citizen Requests. Paul Trpkosh stated he is an Ely resident and president of the Linn County Trails Association and that he speaks in favor of the current alignment of the Hoover Trail as proposed or accepted by Ely and Linn County. Mr. Trpkosh stated this alignment has everything a bicyclist wants including that it does not have two crossings of State Street.

Corridor Metropolitan Planning Organization Presentation – Brandon Whyte & Adam Lindenlaub. Brandon Whyte and Adam Lindenlaub made a presentation to the Mayor and City Council re: the Corridor Metropolitan Transportation Organization (MPO). The presentation included, but is not limited to; area served by the MPO, member jurisdictions, that the MPO is the federally mandated regional transportation planning agency for the Ely/Cedar Rapids area, and that the MPO provides planning and financial programming for multiple modes of transportation including vehicles, mass-transit, recreational trails, and pedestrian facilities. Mr. Whyte explained the various MPO planning processes including Long-Range Transportation Plan, Fiscally Constrained Plan, and Transportation Improvement Program. Mr. Whyte asked for questions.

Butch Wieneke asked the benefit to install a bike lane on a three lane State Street. Mr. Whyte replied a separated trail is a more effective safety factor for vehicles on the street and for bicycle traffic because of vehicle speeds on the street. Mr. Wieneke noted the prevalence of bicycle lanes in downtown Cedar Rapids. Mr. White replied they are in 35 mph speed zones and that higher speeds are expected on State Street.

Terry Smith thanked Mr. Whyte and Adam Lindenlaub for coming out. Mr. Smith stated it seems there is a lot of work that needs to be done re: the plans prepared by Todd Happel, especially regarding drainage and type of street. Mr. Whyte noted that a "rural section" is a street with ditch on both sides, and "urban section" has curb and gutter. Mr. Whyte noted the proposed extension of the Hoover Trail south from Rowley Street is as close to the street as it

can be. Mr. Smith noted homeowners and residents along the identified route have liability concerns and that a safety engineering study was not performed.

Mr. Whyte and Mr. Lindenlaub discussed transportation related needs and preferences with the Mayor and City Council. Their discussion included the following:

Transportation Challenges

- Road conditions
- Access during improvements to Hwy. 30
- Lack of traffic signal at Jappa and Hwy. 30
- Connectivity to major roadways

Transportation Priorities

- Public transit

Types of regional projects that would benefit Ely (roads, trails/bicycle, transit, sidewalks)

- All types
- Trail spur to connect the Cedar River Trail to Kirkwood College

Waste Management Presentation – Gregory Hintz. Gregory Hintz, Operations Manager for Waste Management in Cedar Rapids, reported he took over the position two weeks ago. He stated to let him know that if there are any operational concerns. He discussed collecting glass for recycling, noting that Waste Management cannot recycle glass collected in bulk at Republic Services and are working on a better option to collect and transport glass for recycling.

Banquet/Event Facility on Rogers Creek Road, 2015

Public Hearing re: Request to Amend Future Land Use Map of Comprehensive Plan.

Ballantyne moved to open a public hearing re: a request to amend the future land use map at 8:01 p.m., second by Hale. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 8:01 p.m. Clerk-Administrator Anderson reported the notice of public hearing was posted and published in the Cedar Rapids Gazette April 1, 2015 and that parcel specific notices were mailed April 1, 2015. Mayor Doyle reported two verbal comments were received before the meeting:

- Duane Kunkel stated concern with the alignment of proposed Glendale Lane extension in the subject property and wants to make sure it meets up with Glendale Land in Kunkel Addition.
- Butch Wieneke stated he wants to make sure the drainage pond at the southeast corner of the property is topographically viable and does not negatively affect their property.

Mayor Doyle asked for comments regarding the public hearing topic.

Butch Wieneke stated he wants to know how close the pond at the southeast corner of the map is from his property. He noted the land there really slopes down toward his property from that area; he is not really happy with the direction that is coming because it really slopes downhill from there. D.J. Wacker stated the graphic is a preliminary configuration and that nothing is set in stone. Mr. Wacker noted the property will have to be thoroughly engineered, and that the lower drainage pond is sort of naturally draining towards the creek. Mr. Wieneke asked if the facility itself is right on the ridge, Mr. Wacker replied it is set on the highest point. Mr. Wacker stated the back line of the graphic is the furthest back they know of, not knowing where the property pins are. He noted that this is a preliminary plat knowing that the City will require detention facilities. Jim Doyle asked Mr. Wacker if the

whole property will be engineered once everything is approved, Mr. Wacker stated it would be.

Jim Doyle stated the agenda item is to change the property from R-1 and R-2 zoning to Commercial zoning. Clerk-Administrator Anderson replied it is a two step process, first to amend the future land use map of the comprehensive plan, then to change the zoning. Mr. Doyle noted the change to the Comprehensive plan is to make the property "Low Density/Light Intensity Commercial". A gentleman asked what the definition of "Low Density/Light Intensity Commercial" is. Mr. Anderson stated that future land use map is not zoning, and will be more general in nature. He stated this designation would have fewer buildings like you would see in a downtown area, not a lot of intense use like an implement dealer or auto dealer; uses would have few buildings and low impact on the neighborhood.

Mr. Doyle noted the next step is to change the zoning to C-2 and asked Mr. Anderson what the definition of C-2 Commercial is. Mr. Anderson replied C-2 is Highway Commercial, the gentleman stated the location is not near a highway and that Rogers Creek Road is not a highway. Mr. Anderson stated the "purpose is to establish and preserve general commercial areas consisting of shopping centers and commercial strips where customers reach individual business establishment primarily by automobile." He noted that for this application the applicants have agreed that if the use is anything other than the banquet center or event center the zoning reverts back to residential. Mr. Anderson stated the applicant agreed to this and that this condition will be part of the record of the approval. Mr. Doyle asked Mr. Wacker if they agree with that, Mr. Wacker stated they do.

Butch Wieneke asked what the capacity of the banquet center and parking would be. Mr. Wacker stated it will be 350-400 people. Mr. Wieneke asked if his plan is for the full 54 acres. Mr. Wacker stated the business plan and the reason they like this property is that it is away from other commercial properties like storage places or warehouses, and they seek to have a country like setting for just a building to be by itself and not be cluttered with other commercial properties around it. Mr. Wieneke stated they are awfully far to the west side of the property for a 100,000 square foot property. Mr. Wacker stated the building would be more on the east side and faces north.

A lady asked what is going to be on the side by the pond. Mr. Wacker stated he does not know right now, though the City of Ely has plans for a road there from when the property was platted for 200 plus residential lots., that road would connect with the Kunkel property. She asked if this is all they have planned right now, Mr. Wacker stated it is. She asked if they are planning to put something else out there. Mr. Wacker stated they will not be allowed to put any other commercial building at that property

Butch Wieneke asked what the tax base would be for the banquet/event center compared to full residential development. Aaron Anderson stated he does not know, but expects taxes from the residential development would probably be greater than from this facility. Mr. Wieneke stated they would be. Mr. Wieneke asked if Ely be responsible for running a street out to the property. Mr. Anderson stated we are looking at a joint venture to hard surface to their driveway. Bob Ballantyne noted it is a pretty soft roadway now. Mr. Doyle stated from the bridge to their entrance would be hard surfaced, which is what was anticipated with the residential subdivision.

A gentleman asked when the facility will be open. Mr. Wacker stated their goal is to be up and running by late 2016.

Butch Wieneke asked if retention ponds need to have a fountain or something else to keep the water moving so it does not become stagnant water is a mosquito haven. Mr. Wacker stated they do not want stagnant water in their pond. Mr. Anderson stated other than nuisance regulations Ely does not have regulations regarding stagnant water. He stated Ely does not require fountains, and he is not sure if they are looking at a dry or wet bottom facility. He noted the Schulte Addition added a well that kept water moving a little bit, and that Kunkel Addition has dry basin facilities. The pond design would be part of the review process for the property. Mr. Doyle noted Ely has a similar situation at City Park. Scott Pottorff noted a pond will not go stagnant if the pond is deep enough and that a detention basin usually has some depth to it. Mr. Wieneke asked where water in a retention pond goes when it overflows. Scott Pottorff noted there is usually an emergency overflow. Mr. Anderson noted that usually the outflow from a retention pond goes the route it did before development, and noted that after a 100-year rain event you would see the same flow as for a 5 year event. Mr. Pottorff stated there would be enough volume in the basin to capture a 100-year rain and release at no more than 5 year pre-developed rate.

Mr. Wieneke asked where water and sewer will come from. Mr. replied sewer will come from the south and water extend from the west side of the creek. A gentleman asked if Rogers Creek Road will be closed. Mr. Anderson replied he does not know, most likely it would be for construction at some point and most likely it would only be closed while being hard surfaced. A gentleman asked if the city is aware of the problems on that road, Mr. Anderson stated the city is aware.

Mayor Doyle asked for other comments or questions re: changing the future land use map. Ballantyne moved to close the public hearing at 8:17 p.m., second by Hale. Motion carried – 5 to 0; Mayor Doyle declared the public hearing closed and meeting in regular session at 8:17 p.m.

Public Hearing re: Request to Designate a Parcel of Land as C-2 Highway Commercial.

Mehmen moved to open a public hearing re: a request to designate a parcel of land as C-2 Highway Commercial at 8:17 p.m., second by Grove. Mayor Doyle declared the public hearing open at 8:17 p.m. Clerk-Administrator Anderson reported the notice of public hearing was posted and published in the Cedar Rapids Gazette April 1, 2015 and that parcel specific notices were mailed April 1, 2015. Mayor Doyle noted we have already touched on many of the items and this item is to change the entire parcel to C-2 Highway Commercial zoning. Mayor Doyle noted P&Z reviewed the request and recommended approval, stated there is a resolution to approve the future land use map change, then an ordinance to establish the zoning and asked for comments from the public regarding the public hearing item.

Butch Wieneke asked about the “concert area” on the back side of the building. D.J. Wacker stated the area is for outdoor weddings and not like a regular concert or party, there will not be rock bands performing concerts there. Mr. Doyle stated everything they have proposed so far sounds very much on the up and up and first class event.

Mr. Wieneke asked if no one is concerned with the traffic going through the homes in that area. Mr. Wacker stated 220 lots were proposed for that area, for 220 houses with two cars each. Stephanie Mehmen noted she lives in the area and would rather have the traffic from the banquet facility than the traffic from 220 homes running through mornings and evenings. Mr. Wacker stated their goal is to contact the city in advance if they have weddings, and try not to ruffle feathers if they can help it.

Bob Ballantyne stated it will bring business to Ely in a nice, calm setting. He stated it would be a positive benefit and draw for Ely. Mayor Doyle asked for additional comments regarding the public hearing item. Hale moved to close the public hearing at 8:22 p.m., second by Grove. Motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 8:22 p.m.

Resolution No. 15-0413-13, Amending Future Land Use Map of the Comprehensive Plan. Ballantyne moved to approve Resolution No. 15-0413-13, Amending the Future Land Use Map of the Comprehensive plan, second by Wery.

Aye: Ballantyne, Wery, Hale, Grove Mehmen

Nay: None

Absent: None

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

First Reading of Ordinance No. 240, Amending the Zoning Map by Designating Certain Parcels as a C-2 Highway Commercial District. Ballantyne moved to introduce and approve the first reading of Ordinance No. 240, Amending the Zoning Map by Designating Certain Parcels as a C-2 Highway Commercial District, second by Grove.

Aye: Ballantyne, Wery, Hale, Grove Mehmen

Nay: None

Absent: None

Mayor Doyle declared the motion carried, the ordinance introduced and first reading approved 5-0.

Ely City Park Improvements Project

Project Status Report. Clerk-Administrator Anderson reported all work but a few punch list items are complete on the project and that the restrooms have been open for public use.

Construction Progress Payment No. 8 – Seydel Construction. Hale moved to approve Construction Progress Payment No. 8 for \$3,050.39 to Seydel Construction for work performed under the Ely City Park Improvements project, second by Ballantyne. Motion carried – 5 to 0.

Accept Substantial Completion. Mehmen moved to table acceptance of substantial completion and to schedule a time for the Mayor and City Council members to visit the new building and playground; second by Grove. Motion carried – 5 to 0.

Accept Quote for Sound System. Mayor Doyle reported Parks Commission solicited quotes to provide and install a sound system for the new restroom/concessions building at Ely City Park; with the low cost quote being \$4,765.00 from DB Acoustics, of Cedar Rapids. Mehmen moved to accept the quote of \$4,765.00 from DB Acoustics to provide and install a sound system for the City Park restroom/concession building, and authorize payment of the 35% deposit; second by Ballantyne. Motion carried – 5 to 0.

Accept Quote to Provide and Install Fence. Clerk-Administrator reported Jeff Hilleman, Parks Commission Chair, anticipated having quotes for fence at Ely City Park, but quotes are not available.

Kunkel Addition to Ely

Revise Construction Plans for Kunkel First Addition to Ely, Iowa. Clerk-Administrator reported the excavation contractor installing sanitary sewer for Duane Kunkel for Kunkel Addition First Addition encountered substantial bedrock that is an obstacle for installing sanitary sewer to Worley Lane. City Engineer Scott Pottorff reported a compromise solution was suggested to install the equivalent of a four-inch diameter force main to Worley Lane, which would have adequate capacity to provide sanitary sewer service to the houses on the west side of Worley Lane. Ballantyne moved to authorize revising the construction plans for Kunkel Addition First Addition to allow installation of a four-inch force main to Worley Lane rather than the 8-inch gravity sewer shown previously approved; second by Hale. Motion carried – 5 to 0.

Highland Road Resurfacing and City Park Parking Lot Surfacing Project

Review Bids Received. City Engineer Scott Pottorff reported Ely received the following bids for the Highland Road Resurfacing and City Park Parking Lot Surfacing Project; and that no bids were submitted for the PCC surface alternate:

Bid Item	L.L. Pelling	Rathje Construction	Ricklef's Excavation
Highland Rd from Hillcrest St to North Drive - HMA	\$306,635.85	\$295,296.30	\$295,588.00
City Park Parking Lot	\$47,596.20	\$54,168.00	\$52,466.00
Highland from North to Knoll Court – HMA Alternate	\$48,508.90	\$49,051.00	\$43,904.00
City Park sidewalk from Parking lot to play area - Alternate	\$19,073.00	\$15,956.00	\$13,424.00
Total All Items & Alternates	\$421,813.95	\$414,471.30	\$405,382.00

Resolution No. 15-0413-14, Awarding Bid for Highland Road Resurfacing and City Park Parking Lot Surfacing Project. Mayor Doyle reported this resolution would accept all work listed in the bid documents and award the bid from Ricklef's Excavating at total bid amount of \$405,382.00. Hale moved to approve Resolution No. 15-0413-14, Awarding Bid for Highland Road Resurfacing and City Park Parking Lot Surfacing Project, and to use water utility fund revenue to pay for water system improvements in the project area at bid amount \$30,600; second by Mehmen.

Aye: Mehmen, Grove, Hale, Wery, Ballantyne

Nay: None

Absent: None

Mayor Doyle declared the motion passed and resolution adopted 5-0.

Ely Comprehensive Plan

Discuss Draft of Comprehensive Plan Update. Mayor Doyle reported the Plan and Zoning Commission completed work to update the Ely Comprehensive Plan and forwarded the draft to City Council for consideration.

Schedule Public Hearing re: Updated Ely Comprehensive Plan. Ballantyne moved to schedule a public hearing for 7:000 p.m. Monday May 11, 2015 re: the updated Ely Comprehensive Plan as forwarded to City Council by the Plan and Zoning Commission; second by Hale. Motion carried – 5 to 0.

Public Works – Streets, Water, Sewer & Equipment.

Accept 2015 Seal Coat Proposal. Hale moved to accept the April 3, 2015 proposal from LL Pelling, Co. of North Liberty, Iowa, for sealcoat work at quoted price of \$14,281.00; second by Grove. Motion carried – 5 to 0.

Authorize Issuing Request for Quotes for 2015 Street Maintenance and Repairs and to Resurface Alleys. Hale moved to authorize issuing a request for quotes for 2015 Street Maintenance and Repairs including segments on Hillside Drive and Glendale Lane, and to solicit quotes to resurface the alleys behind St John Lutheran Church between Rowley and Dows and between Dows and Traer behind Solon State Bank; second by Wery. Motion carried – 5 to 0.

Budget and Finance

Schedule Public Hearing re: Requested Amendments to FY 2014-15 Budget. Clerk-Administrator reported the following suggested budget amendments:

- Updates General Fund revenues from several sources; including County Contribution for Library, Library grant proceeds, and Fall Fest Revenue.
- Library expenditures (General Fund) increase of \$5,238 to total \$136,841 to reflect higher contribution from Linn County and spending for grant funded activity.
- City Hall & General Buildings (General Fund) increase of \$2,000 to cover cost of due to replacing one furnace and needing to dry out the lower level carpet in August (after a toilet drastically overran).
- Two unanticipated General Fund capital projects expenditures:
 - \$14,735 – Parking on North side of Rowley Street by St John Lutheran, Ely's agreed on contribution.
 - \$16,200 – Placing shoulders on the segment of Banner Valley Road that was re-graded and resurfaced in late Fall 2014

Ballantyne moved to schedule a public hearing re: amending the current year FY 2015-15 Budget for 7:00 p.m. Monday May 11, 2015; second by Hale. Motion carried – 5 to 0.

Administrative, Personnel and Staffing

Employee Health Insurance Benefit & Authorize Issuing Request for Proposals. Clerk-Administrator reported the premium to renew the existing employee health insurance policy would increase 23% effective June 1, 2015. Mayor and City Council discussed, including that the City is to move toward not self-insuring a portion of the employee deductible, the possibility of pooling with other cities or similar organizations, and possibly offering

employees a choice of policies. Mehmen moved to authorize the Clerk-Administrator to issue a Request for Proposals for Employee Health Insurance, second by Hale. Motion carried – 5 to 0.

City of Ely Procurement Policy. Ballantyne moved to approve the April 9, 2015 version of “Procurement/Purchasing Policy and Guidelines, City of Ely, Iowa”; second by Mehmen. Motion carried – 5 to 0.

Financial Examination Report. Clerk-Administrator Anderson reported the required report of the Financial Examination conducted by the State Auditor’s office, presented the report and discussed with Mayor and City Council. Items discussed include confirming all expenditures are approved by City Council on a timely basis, and a process to review utility accounts. Ballantyne moved to accept the “Independent Accountant’s Report of Applying Agreed-Upon Procedures” for July 1 2013 through June 30, 2014 prepared by the Auditor of State’s office; second by Grove. Motion carried – 5 to 0.

Renewal of General Property, Liability and Equipment Insurance Policy with Millhiser Smith Agency, and Payment of Premium. Ballantyne moved to renew Ely’s general property, liability, equipment and vehicle insurance policy with Millhiser Smith Agency and approve payment of the premium amount of \$17,396.00; second by Hale. Motion carried – 5 to 0.

Discussion Items.

Hale moved to adjourn, second by Grove; motion carried – 5 to 0. The meeting adjourned at 9:22 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator