

**ELY CITY COUNCIL
REGULAR MEETING
APRIL 14, 2014
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, Dave Rasmussen and Bob Ballantyne. Also present: Jim Miller, Dave Netolicky, Terry Smith, Duane Kunkel, Connie Kunkel, Gary Whittom, Judy Wery, Alan Wery, Teri Billick, Butch Wieneke, Annette Wieneke, Brenda Jones, Rob Kramer, Erin Kramer, Katie Jo Bruhn, Sarah Sellon, Maximilian Knasseir, Debbie Splean, Jim Miller, Cullen Woods, Keith Schulte, Public Works Director Ron Stark, City Engineer Scott Pottorff and Clerk-Administrator Aaron Anderson.

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

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

- Agenda.
- Minutes of the March 10, 2014 regular meeting.
- Minutes of the April 1, 2014 special meeting.
- Treasurers Report for the period ended March 31, 2014.
- Bills Payable for April 2014, totaling \$68,311.83
- Renewal of Liquor Permit, St. Quentin Post #555, American Legion, 1545 Main Street.
- Renewal of Class C Beer with Sunday Sales and Living Quarters Privileges, Cleppe's 66 Service, 1545 Main Street.
- Renewal of General Property, Liability, and Equipment Insurance Policy with Millhiser Smith Agency, and Payment of Premium.

Motion carried – 5 to 0.

Treasurer's Report (summary) for the period ended March 30, 2014

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 18,364.80	\$ 32,524.61		\$ 680,842.44
Road Use	16,663.75	14,465.18		16,014.65
L O S T	16,528.09			255,537.10
TIF Fund	3,779.94	62,725.00		167,845.73
Debt Service	62,725.00			-13,546.30
Other Projects				101,874.05
Library Project				-64.23
Way Point Sign				-19,595.29
North End Infra				-25,589.93
Water Utility	17,321.75	12,269.42		293,870.13
Water/Sewer Reserve	5,216.10			149,906.20
Sewer Utility	26,659.40	22,535.61		31,896.43
Sewer Debt Service	11,767.92			101,218.46
Sanitary Utility	5,491.30	6,288.31		36,764.61
Storm Water	26.00			176.12
Farmers Market				1,413.01
PR Clearing	11,981.19	11,030.85		1,732.96
Totals	\$ 196,525.24	\$ 161,855.44		\$ 1,777,266.19

Communications. Library Director Sarah Sellon presented a report on activities at the Ely Public Library. A Deputy distributed the monthly Sheriff's Office Activity Report.

Citizen Requests. Annette Wieneke stated the orange fencing for the area being used for kids' soccer south of City Hall encloses some of their property, and asked for the city to assure that the city's liability insurance covers any liability related to the activity for the owners Mr. and Mrs. Wieneke. City Administrator Anderson stated Ely's liability coverage extends for this use.

Banner Valley Road/Banner Valley Creek

Banner Valley Creek Drainage Analysis & Possible Improvements Report – City Engineer. City Engineer Scott Pottorff presented a report titled "Drainage Analysis of Banner Valley Creek and Possible Drainage Improvements" and summarized the report and recommendations. Mayor Doyle and the City Council discussed the report with Mr. Pottorff; topics discussed include but are not limited to:

- Benefit and value of re-grading the ditch on the north side of Banner Valley Rd
- Converting Banner Valley Rd to curb and gutter design and whether all three segments identified in the study have to be improved to simultaneously or if they may be converted independently. Mr. Pottorff stated the segments could be improved independently.
- Most of the recommended changes improve the flow of stormwater but do not decrease the amount of runoff.

Rasmussen moved to accept the report titled "Drainage Analysis of Banner Valley Creek and Possible Drainage Improvements" prepared by City Engineer Scott Pottorff and dated April 10, 2014, second by Ballantyne. Motion carried – 5 to 0.

Hoover Trail – From Ely City Park to Ely Community Center

Resolution No. 14-0414-12, Accepting IDOT Project Grant Agreement. City Administrator Anderson reported Iowa Department of Transportation sent a grant agreement to pay 80% of the cost to extend the Hoover Trail from Ely City Park to the Community Center at 1570 Rowley Street; and discussed the terms of the grant agreement. Dave Netolicky asked why the City is bringing the trail to the Ely Community Center now when Johnson County has not determined their route. Terry Smith asked why emails on this topic were not forwarded to him. Mayor and City Council discussed the Hoover Trail, and that City Council has not taken action to change the May 13, 2013 vote to support extending the trail south from Rowley Street on the east side of State Street.

Grove moved to approve Resolution No. 14-0414-12, Accepting IDOT Project Grant Agreement, second by Ballantyne.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen

Nay: None

Absent: None

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

Resolution No. 14-0414-13, Accepting Contract for Engineering Services. City Administrator Anderson reported Ely received the proposals to provide engineering services

to extend the Hoover Trail from Ely City Park to the Community Center at 1570 Rowley Street from MMS Consultants and Anderson-Bogert Engineers as follows.

- Design and Bid Services
 - Anderson-Bogert - \$44,000
 - MMS Consultants - \$30,500 - \$33,000, depending on easement/acquisition plats.
- Construction Services
 - Anderson-Bogert - \$24,000-\$28,000 (hourly, estimated)
 - MMS Consultants - \$16,000 (lump sum)

Mr. Anderson reported Resolution No. 14-0414-13 accepts the proposal from MMS Consultants and approves the contract with MMS for the work as set out in the proposal at the fees stated.

Ballantyne moved to approve Resolution No. 14-0141-13, Accepting Contract for Engineering Services, second by Hale.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen

Nay: None

Absent: None

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

Kunkel Addition, Request for Annexation, Zoning and Subdivision – Duane Kunkel

Request from Duane Kunkel for City Council to Reconsider Previous Vote regarding Second Reading Ordinance No. 238 “Amending the Zoning Map by Designating Specific Parcels R-1 Single Family and Other Specific Parcels R-2 Multi-Family Residential Districts”. Mayor Doyle reported Duane Kunkel sent a written request for the City Council to reconsider their vote on the second reading of Ordinance No. 238. Bill Grove took the matter off the table to allow for discussion. Bob Ballantyne stated there are other policy issues here, some regarding property not located in Ely and that he has not digested all the costs associated with the annexation and how much the property tax payer is spending for this annexation. Mr. Ballantyne stated he is not comfortable with this if connected to the annexation; but would be if the second reading has no implication or commitment of city to the project. He stated he believed the developer, Mr. Kunkel, was opposed to moving the Glendale Lane entrance west. Duane Kunkel stated he would consider relocating that entrance. Mr. Ballantyne asked how much larger retention ponds would have to be to contain a 500-year event. Scott Pottorff replied roughly 1.5 to 2 times larger.

Topics discussed among Mayor, City Council and others attending include, but are not limited to:

- whether this proposal has to go through the complete plat process again
- importance of not impeding the flow of Banner Valley Creek
- relocating the east or Glendale Lane entrance so that it is west of the dual 72” culverts
- risk that existing homeowners would be reclassified as flood plain due to this project
- That reconsidering then approving the second reading of the ordinance does not commit the City Council to later approving the third reading.

Grove moved to reconsider the March 10, 2014 vote on the second reading of Ordinance No. 238, second by Mehmen.

Aye: Ballantyne, Rasmussen, Hale, Grove Mehmen
Nay: None
Absent: None

Mayor Doyle declared the motion carried 5 to 0.

Rasmussen moved to approve the second reading of Ordinance No. 238 “Amending the Zoning Map by Designating Specific Parcels R-1 Single Family and Other Specific Parcels R-2 Multi-Family Residential Districts”, subject to the described property ultimately being annexed into the City of Ely; second by Mehmen.

Aye: Ballantyne, Rasmussen, Hale, Grove Mehmen
Nay: None
Absent: None

Mayor Doyle declared the motion carried and the second reading of Ordinance No. 238 approved – 5 to 0.

Proposed Preliminary Plat – Kunkel Addition. Mayor Doyle and City Council members discussed the preliminary plat for the Kunkel Addition with Duane Kunkel. Following discussion consensus that Mr. Kunkel would present a revised version with the east, or Glendale Lane, entrance moved west to avoid having to cross the creek. A three-way stop at that location will be considered.

Proposed Developer’s Agreement – Kunkel Addition. Discussion on this matter was deferred until details of the proposed plat are worked out.

Ely City Park Restroom/Concession Building, Playground, Walking Path Project.

Resolution No. 14-0414-14, Accepting Contract for Playground Equipment and Installation. Mayor Doyle reported this resolution accepts a quote from National Playground Compliance to provide and install playground equipment for Ely City Park for total cost to provide and install the equipment of \$68,980. Mayor Doyle noted the equipment was recommended by the Parks Commission, who worked with National Playground Compliance who works as a broker on this type of work. Mayor Doyle reported quote amount is \$7,305 less than quoted for the same equipment last year. City Council members discussed the equipment and process used to select and get prices. Mehmen moved to approve Resolution No. 14-0414-14, second by Rasmussen.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen
Nay: None
Absent: None

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

Resolution No. 14-0414-15, Accepting Contract for Engineering Services with MMS Consultants for Preparation of Engineered Site Plan. Mayor Doyle reported this resolution accepts a contract with MMS Consultants for engineering service to prepare an engineered site plan for the City Park Restroom/Concession building and playground area at cost of \$3,300. Hale moved to approve Resolution No. 14-0414-15, second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen
Nay: None

Absent: None

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

Parks Commission

Accept Proposal to Install Standing Seam Metal Roof on Schulte Park Pavilion. City Administrator Anderson reported the Parks Commission seeks to re-roof the shelter/pavilion at Schulte Park with a commercial grade standing seam metal roof. He reported the Parks Commission received a quote from T&K Roofing & Sheet Metal to perform the work for \$5,700. Mayor and City Council discussed whether more than one quote was solicited, noting that is important that procurement be open and allow local contractors or vendors the opportunity to quote. Grove moved to table consideration of a quote to install a commercial grade standing seam metal roof for the Schulte Park pavilion for additional quotes; second by Hale. Motion carried - 3 to 2, Mehmen and Rasmussen opposed.

Tax Increment Financing, Ely Urban Renewal Area and Urban Renewal Plan

Public Hearing on Urban Renewal Plan and the Ely Urban Renewal Area – 7:00 p.m. Ballantyne moved to open the public hearing regarding the Ely Urban Renewal Plan and Urban Renewal Area at 8:39 p.m.; second by Hale. Motion carried, 5-0. Mayor Doyle declared the public hearing open at 8:39 p.m. Clerk-Administrator Anderson reported notice was published and posted as required by law; and that no verbal or comments regarding the matter had been received prior to the public hearing. Mayor Doyle asked Mr. Anderson to summarize the proposal; Mr. Anderson reported the proposed amendment would add considerable territory adjacent to Hoosier Creek and State Street north Merry Hill Lane to facilitate using Tax Increment Finance to extend sanitary sewer to serve northern areas of Ely, construct an east-west collector street from State Street to connect with Edellen Meadows which then runs to Jappa Road, and to help offset Ely's cost for oversized utility infrastructure within Edellen Meadows. Mayor Doyle asked for further comments or questions from the public, none were offered. Grove moved to close the public hearing at 8:42 p.m.; second by Ballantyne. Motion carried – 5 to 0; Mayor Doyle declared the hearing closed and meeting in regular session at 8:42 p.m.

Mr. Anderson reported the amendment was forwarded to the Plan and Zoning Commission who tabled a recommendation of whether the proposed amendment is “in conformity with the general plan for the development of the city”. Ballantyne moved to table Resolution No. 14-0414-16, A Resolution to Declare Necessity and Establish and Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Ely Urban Renewal Area and Ordinance No. 239, An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2014 Addition to the Ely Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa until Plan and Zoning Commission recommendation is received, second by Hale. Motion carried – 5 to 0.

Highland Road Resurface/Rebuild Project

Discuss Project Scope and Schedule. Mayor and City Council discussed the planned project to rebuild the road bed and resurface Highland Road including project area, options for type of surface, that work will not include water or sanitary sewer and schedule. The principal project will be Highland Road from the “new” concrete at the intersection of

Highland and Hillcrest to North Drive, with an alternate to extend to Knoll Court depending on bids. Work will occur as early in spring 2015 as possible.

Resolution No. 14-0141-17, Approving Contract for Engineering Services with MMS Consultants for Design, Bid and Construction Services. Mayor Doyle reported this resolution approves a contract with MMS Consultants for engineering services for design, bid services and construction of the Highland Road project at total cost of \$28,500. Hale moved to approve Resolution No. 14-0414-17; second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen
Nay: None
Absent: None

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

Ely City Park and Downtown/Main Street Parking Lot Development Projects

Discuss Project Scope and Schedule. Mayor and City Council discussed plans to construct a paved parking lot on the city owned lot at 1535 Main Street and to pave the Hillcrest Street parking lot at Ely City Park. Discussion included that the Downtown/Main Street parking lot will proceed for construction in 2014, will include drainage improvements for the adjacent alley, will start with the 24 lot configuration, and that the City Council will hold a workshop meeting at 6:00 p.m. Monday April 28th, 2014 to work out more design details. The City Park parking lot will proceed toward being paved in early spring, 2015.

Resolution No. 14-0141-17, Approving Contract for Engineering Services with MMS Consultants for Design, Bid and Construction Services. Mayor Doyle reported this resolution accepts a contract with MMS Consultants for engineering services to design, bid and construct the Ely City Park Parking lot project at maximum cost of \$12,850, and an amendment to an existing agreement for engineering services for the Downtown/Main Street parking lot project at an additional \$5,000.00. Hale moved to approve Resolution No. 14-0414-17, second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen
Nay: None
Absent: None

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

Budget and Finance

Schedule Public Hearing re: Proposed Amendment of FY 2013-14 Budget. Grove moved to schedule a public hearing re: amending the FY 2013-14 budget for 7:00 p.m. May 12, 2014; second by Mehmen. Motion carried – 5 to 0.

Public Works – Streets, Water, Sewer & Equipment.

Resolution No. 14-0414-19, Accepting Quotes to Purchase and Equip a Freightliner 108SD Dump/Plow Truck. Clerk-Administrator Anderson reported Public Works Director Stark and Gary Whittom researched options and solicited quotes to purchase a dump truck to equip for snowplow use to replace the 1981 Chevrolet currently in use. Mr. Anderson reported recommendation to purchase a Freightliner 108SD chassis, and equip as necessary for snow/ice removal including dump box, snow removal blade, salt/sand spreader and

related items. Mr. Anderson reported the following quotes were received for the Freightliner 108SD chassis

- \$67,380 - Harrison Truck Center, Elk Run Heights, Iowa
- \$70,028 – Cedar Rapids Truck Center, Cedar Rapids, Iowa
- \$70,494 – Truck Country of Cedar Rapids, Cedar Rapids, Iowa

Mr. Anderson reported the following quotes were received to equip the chassis:

- \$35,772 – Henderson Truck Equipment, Manchester Iowa.
- \$31,871.52 – Future Line Truck Equipment, Cedar Rapids, Iowa. Mr. Anderson noted several of the components in this quote were lower quality than offered by Henderson Truck Equipment, or lower grade than specified.

Mr. Anderson reported Resolution No. 14-0414-19 accepts the quotes from Harrison Truck Center and Henderson Truck Equipment as set out more fully in the quotes/proposals. Hale moved to approve Resolution No. 14-0414-19, second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen

Nay: None

Absent: None

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

Administrative, Personnel and Staffing

Employee Health Insurance & Monthly Premium. City Administrator Anderson reported the premium to renew existing employee health insurance policy will increase roughly 25%, and that even after the cost increase this policy has a lower premium than for similar coverage. Mayor and City Council discussed options. Grove moved for the City to pay 60% of monthly premium for employees with family health coverage and to pay single coverage for employees with single coverage up to the dollar value of 50% of the monthly premium for family coverage; second by Mehmen. Motion carried – 5 to 0.

Discussion Items

Hale moved to adjourn, second by Grove; motion carried – 5 to 0. The meeting adjourned at 9:28 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator