

**ELY CITY COUNCIL
REGULAR MEETING
MAY 14, 2007
ELY CITY COUNCIL CHAMBERS**

Mayor Dale Stanek called the meeting to order at 7:00 p.m. Council members present: Kevin Meskimen, Bob Ballantyne, Tom Winkowski; Mark Banowetz arrived during the meeting; John Smith absent – excused. Guests included: Dale Stanek, Tracie Schwab, Sybil Scheer, Paul Stewart, Louis Stepanek, Jim & Millicent Cozzie and Jack Stewart

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

- Agenda.
- Minutes of the April 9 regular meeting, April 21 and April 30, 2007 special meetings.
- Treasurers Report for the period ended April 30, 2007
- Bills Payable for May, 2007
- Renewal Class B Beer and Sunday Sales Permit – Cleppe’s 66 Service, 1595 State St.
- Request to temporarily close street at 1420 Walker Street, August 18 through 20, 2007.

Motion carried – 4 to 0.

Treasurer’s Report (summary) for the period ended March 31, 2007

	Receipts	Disbursements	Ending Balance
General	117,263.14	18,678.23	328,692.55
Road Use	6,888.33	4,722.97	2,323.72
TIF Fund	81,662.09	1,444.40	368,830.02
Debt Service	28,651.11		46,364.13
Other Projects		1,518.24	113,287.67
Library Project			3,169.70
Water Utility	12,088.37	3,497.13	170,011.86
Water/Sewer Reserve			50,000.00
Sewer Utility	196,019.64	198,875.03	202,665.94
Sanitary Utility	4,739.67	5,195.03	53,546.14
PR Clearing	4,646.86	6,214.88	-1,526.56
Totals	451,959.21	240,145.91	1,343,365.17

Councilmember Mark Banowetz arrived.

Communications:

Deputy Utter of the Linn County Sheriff’s Office presented the Monthly Activity Report. Mayor Stanek reported on correspondence from the Gateway Rotary Club that they would no longer sponsor the July 4th parade. The City Council received Plan and Zoning Commission minutes of the previous month; and agenda and minutes of the March Historic Preservation Commission meeting.

Meskimen, second by Winkowski, moved to consider options related to the correspondence from the Gateway Rotary Club regarding the 4th of July parade. Motion carried – 4 to 0.

Citizen Requests. Paul Stewart asked about the possibility of re-platting lots 17-19 and “Outlot A” in Meadowbrook Subdivision in conjunction with potential extension of sanitary sewer to Jappa Rd. Mayor Stanek stated the Plan and Zoning Commission should review the matter before City Council consideration.

Louis Stepanek stated he has City Council meeting minutes are either not published in the newspaper or published a significant time after the meeting. Mr. Stepanek asked the City Council to keep in mind local government works best when the community is well informed, and to direct the Clerk to publish minutes on a timelier basis.

Traffic & Speed – Jappa Road to North City Limits

Traffic Speed. Clerk/Administrator Anderson reported several people have contacted City Hall concerned with traffic speed on Jappa Road from Dows Street to the north City limits; and that some have requested a stop sign at Rogers Creek Road for north-south traffic on Jappa Road. Mr. Anderson reported the Linn County Sheriff’s Office has been asked to intensify traffic enforcement in this area, and that posted speed limits are different than stated in City Code. Council discussed this matter, as well as traffic concerns related to the State Street Bridge project. Meskimen, second by Winkowski, moved to request up to 25 hours of additional patrol per month by the Linn County Sheriff’s Office through September 9, 2007. Motion carried – 4 to 0.

Schedule Public Hearing re: Ordinance to Establish Special Speed Zone. Ballantyne, second by Banowetz, moved to schedule a public hearing for June 11, 2007 regarding an ordinance that would establish a 25 mph speed zone for both north and south bound traffic on Jappa Road from Dows Street to 200 feet north of Rogers Creek Road; and 35 mph from that point to the north city limits. Motion carried – 4 to 0.

Housing Fund for Linn County. Jason Rabe presented information regarding the “Housing Fund for Linn County” and requested the City of Ely provide non-financial support to this project. Items discussed include: level of HUD involvement, process for distributing assistance to individual homeowners, and level of the group’s involvement with Habitat for Humanity. Mr. Rabe noted that the “Housing Fund for Linn County” would not have the authority to compel a city or developer to provide a portion of land or lots for affordable housing, but that they are looking for opportunities to work with homeowners, cities and developers.

Resolution No. 07-0514-27, Housing Fund for Linn County Support. Meskimen, second by Winkowski, moved to approve Resolution No. 07-0514-27.

Aye: Meskimen, Banowetz, Ballantyne, Winkowski.

Nay: none.

Motion carried – 4 to 0.

State Street Bridge Replacement Project

Public Hearing re: Proposed Ordinance 196, An Ordinance to Restrict Parking and Prohibit Truck Traffic on Designated Streets & in Designated Locations. Meskimen, second by Winkowski, moved to open a public hearing regarding proposed Ordinance No. 196. Motion carried – 4 to 0. Mayor Stanek opened the public hearing at 7:36 p.m. Clerk-

Administrator Anderson summarized the proposed ordinance, reported notice had been published as required by state Code and no comments were received verbally or in writing. Mayor Stanek asked for comments from the public, there was general discussion regarding posted speeds and enforcement of speed limits. Mayor Stanek asked for further comments, none were offered. Ballantyne, second by Winkowski, moved to close the public hearing; motion carried – 4 to 0. Mayor Stanek closed the public hearing at 7:40 p.m.

Ordinance No. 196, An Ordinance to Restrict Parking and Prohibit Truck Traffic on Designated Streets & in Designated Locations. Banowetz, second by Meskimen, moved to introduce and approve first reading of “Ordinance No. 196, “An Ordinance to Restrict Parking and Prohibit Truck Traffic on Designated Streets & in Designated Locations” with parking to be restricted on both sides of the street in designated areas.

Aye: Meskimen, Banowetz, Ballantyne, Winkowski.

Nay: none.

Motion carried – 4 to 0.

Meskimen, second by Winkowski, moved to waive the second and third readings of Ordinance No. 196.

Aye: Meskimen, Banowetz, Ballantyne, Winkowski.

Nay: none.

Motion carried – 4 to 0.

Meskimen, second by Ballantyne, moved to approve third reading and final adoption of Ordinance No. 196, “An Ordinance to Restrict Parking and Prohibit Truck Traffic on Designated Streets & in Designated Locations”.

Aye: Meskimen, Banowetz, Ballantyne, Winkowski.

Nay: none.

Motion carried – 4 to 0.

Authorize Temporary “Speed Bumps” on Rock Island Dr. & Pacific Streets During State Street Bridge Replacement Project. Council discussed temporary installation of speed bumps on Rock Island Drive and Pacific Street to calm traffic in this area during the State Street Bridge Replacement project. It was the general consensus of the City Council to direct Mr. Anderson to proceed to obtain and install temporary speed bumps in this area while the State Street Bridge is closed for construction.

Resolution No. 07-0514-28, Approving Contract with Peterson Contractors, Inc. for Construction of State Street Bridge Replacement Project. This resolution would approve a contract with Peterson Contractors, of Reinbeck Iowa, to perform the State Street Bridge Replacement project at a cost of \$481,005.62. Banowetz, second by Ballantyne, moved to approve Resolution No. 07-0514-28.

Aye: Meskimen, Banowetz, Ballantyne, Winkowski.

Nay: none.

Motion carried – 4 to 0.

Rogers Creek Trunk Project

Engineer's Report/Update. Project Engineer Cary Solberg reported on this project.

Public Hearing re: Authorization of a Loan and Disbursement Agreement and the Issuance of not to Exceed \$500,000 Sewer Revenue Capital Loan Notes. Ballantyne, second by Meskimen, moved to open a public hearing regarding Authorization of a Loan and Disbursement Agreement and the Issuance of not to Exceed \$500,000 Sewer Revenue Capital Loan Notes. Motion carried – 4 to 0. Mayor Stanek opened the public hearing at 7:56 p.m. Clerk-Administrator Anderson summarized the matter, noting that the City would not be obligated to borrow any more than needed to pay project costs. Mayor Stanek asked for comments from the public, none were offered. Winkowski, second by Meskimen, moved to close the public hearing; motion carried – 4 to 0. Mayor Stanek closed the public hearing at 7:59 p.m.

Resolution No. 07-0514-29, Instituting Proceedings to Take Additional Action for the Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$500,000 Sewer Revenue Capital Loan Notes. Meskimen, second by Ballantyne, moved to approve Resolution No. 07-0409-29.

Aye: Meskimen, Banowetz, Ballantyne, Winkowski.

Nay: none.

Motion carried – 4 to 0.

Resolution No. 07-0514-30, Ordering Construction of the Improvements to the Rogers Creek Sanitary Sewer and Water Mains, and Fixing a Date for Hearing Thereon and Taking of Bids Therefor. This resolution would, among other things, schedule taking bids on the Rogers Creek Trunk project for June 25, 2007. Banowetz, second by Winkowski, moved to approve Resolution No. 07-0514-30.

Aye: Meskimen, Banowetz, Ballantyne, Winkowski.

Nay: none.

Motion carried – 4 to 0.

2007 Wastewater Treatment Plant Improvements Project

Payment Application #3, Miron Construction Inc. – 2007 WWTP Project. Meskimen, second by Banowetz, move to approve Payment Application #3 to Miron Construction in the amount of \$323,365.75 for work completed to date on the 2007 WWTP Project. Motion carried – 4 to 0.

Resolution No. 07-0514-31, Accepting Change Order Numbers 1, 2 & 3 to Construction Contract with Miron Construction. Change Order No. 1 reflects increasing diameter of incoming mains from 18" to 21" at a net increase of \$5,869.00; Change Order #2 is for additional work to relocate a storm sewer pipe at west end of treatment structure at net increase of \$4,576.00; Change Order #3 is to increase water main in project area from 4" diameter to 6" at net increase of \$417.00; all three increase the contract \$10,862.00. Banowetz, second by Winkowski, moved to approve Resolution No. 07-0514-31.

Aye: Meskimen, Banowetz, Ballantyne, Winkowski.

Nay: none.

Motion carried – 4 to 0.

Request to Amend FY 06-07 Budget. Ballantyne, second by Winkowski, moved to schedule a public hearing regarding amending the current year FY 06-07 budget for 6:00 p.m., Tuesday May 29, 2007. Motion carried – 4 to 0.

Personnel & Employee Matters.

Authorize Job Offer for Public Works Director. Mayor Stanek reported references had been contacted for Ronald Stark, and that he and Mr. Anderson recommended the City Council extend an offer of employment to Ronald Stark for the position of Public Works Director. Banowetz, second by Ballantyne, moved to offer the position of Public Works Director to Ronald Stark at a wage of \$24.80 per hour, subject to 90-day probationary period and all other standard conditions of full-time employment with the City of Ely. Motion carried – 4 to 0.

Authorize Re-Classifying Deputy Clerk Position to Full-Time. Clerk-Administrator Anderson recommended changing the Deputy Clerk position from regular part-time to full-time status to allow more staff time for nuisance enforcement, policy research, improved communications and many other activities. Meskimen, second by Winkowski, moved to re-classify the Deputy Clerk position to full-time, subject to the standard conditions of full-time employment for the City of Ely. Motion carried – 4 to 0.

IDOT Traffic Sign Replacement Program

Resolution No. 07-0514-32, Authorizing Participation in IDOT Traffic Sign Replacement Program. Meskimen, second by Winkowski, moved to approve Resolution No. 07-0514-32.

Aye: Meskimen, Banowetz, Ballantyne, Winkowski.

Nay: none.

Motion carried – 4 to 0.

Discussion Items. None

Meskimen, second by Winkowski, moved to adjourn. Motion carried – 4 to 0. The meeting adjourned at 8:46 p.m.

Dale Stanek, Mayor

Attest:

Aaron Anderson, Clerk/Administrator