

**ELY CITY COUNCIL
REGULAR MEETING
JUNE 11, 2007
ELY CITY COUNCIL CHAMBERS**

Mayor Dale Stanek called the meeting to order at 7:00 p.m. Council members present: Kevin Meskimen, Mark Banowetz, Tom Winkowski, Bob Ballantyne and John Smith. Guests included: Charles Pribble, Jim Miller, Jim & Luanne Miller, Bernita Rozinek, Lynette Sedrel, Gina Rutenbek, Sue Sedrel, James & Millicent Cozzie, Jennifer Jordebek, Dave Rasmussen, Lauraine Harding, and Rich Mahaney.

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

- Agenda.
- Minutes of the May 14, 2007 regular meeting, and May 29, 2007 special meetings.
- Treasurers Report for the period ended May 31, 2007
- Bills Payable for June, 2007
- Purchase Order for June 2007 as follows: Hynek Farms, playground maintenance per estimate - \$4,320.00.
- Renewal of Comprehensive Insurance Policy, through True North Insurance at total premium of \$15,831.00.

Motion carried – 5 to 0.

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

	Receipts	Disbursements	Ending Balance
General	\$ 23,010.62	\$ 20,048.37	\$ 331,654.80
Road Use	7,167.10	3,379.41	6,111.41
TIF Fund	8,959.96		377,789.98
Debt Service	4,595.95	161,947.50	-110,987.42
Other Projects	231.00	541.20	112,977.41
Library Project			3,169.70
Water Utility	15,013.38	4,199.78	186,825.46
Water/Sewer Reserve			50,000.00
Sewer Utility	349,700.61	363,331.23	189,035.32
Sanitary Utility	5,413.61	5,164.34	53,795.47
PR Clearing	4,531.25	3,968.28	-963.58
Totals	\$ 418,623.54	\$ 562,580.11	\$ 1,199,408.60

Communications: Deputy T. Payne presented the Monthly Activity Report.

Citizen Requests. Bernita Rozinek, 2314 Big Bend Rd, Ely, gave a short presentation on the upcoming election regarding the number and representation options for Linn County Board of Supervisors; and “Plan 3”.

Sue Sedrel asked if the Mayor would sign the parade permit for a parade on July 4th. Mayor Stanek replied he would sign and issue the permit tonight if the application is complete.

Jennifer Jordebek, Librarian, updated the City Council on Library activities; including: Summer Reading program has started, free wireless internet access at the Library has been initiated, and a Library newsletter has gone out. Mayor and Council suggested city office and library improve coordination to send general city and library newsletters out together.

Rich Mahaney reported he is the new Director/Coordinator of the Linn County Emergency Management Agency and is visiting City Council meetings throughout the area.

Jim Miller stated people like the new Ely Expressions newsletter, and apologized for missing the last Council meeting.

Speed Limit on Jappa Road

Public Hearing re: Ordinance No. 197, To Establish Special Speed Zones on Jappa Road. Ballantyne, second by Meskimen, moved to open a public hearing regarding proposed Ordinance No. 197. Motion carried – 5 to 0. Mayor Stanek opened the public hearing at 7:16 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 speed limit in this area and coordinating with Linn County for consistency. Mayor Stanek asked for further comments, none were offered. Banowetz, second by Winkowski, moved to close the public hearing; motion carried – 5 to 0. Mayor Stanek closed the public hearing at 7:19 p.m.

Ordinance No. 197, To Establish Special Speed Zones on Jappa Road. Ballantyne, second by Winkowski, moved to introduce and approve first reading of “Ordinance No. 197, To Establish Special Speed Zones on Jappa Road.”

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith.

Nay: none.

Motion carried – 5 to 0.

Ballantyne, second by Meskimen, moved to waive the second and third readings of Ordinance No. 197.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith.

Nay: none.

Motion carried – 5 to 0.

Ballantyne, second by Winkowski, moved to approve third reading and final adoption of “Ordinance No. 197, To Establish Special Speed Zones on Jappa Road.”

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith.

Nay: none.

Motion carried – 5 to 0.

Rogers Creek Trunk Project. .

Public Hearing re: Plans, Specifications, Estimated Cost and Form of Contract. Winkowski, second by Banowetz, moved to open a public hearing regarding the Plans, Specifications, Estimate Cost and Form of Contract for the Rogers Creek Trunk Project.

Motion carried – 5 to 0. Mayor Stanek opened the public hearing at 7:20 p.m. Clerk-Administrator Anderson reported notice had been published as required, that MMS Consultants have prepared plans and specifications for the project, at estimated cost of \$375,000.00; and that no comments were received verbally or in writing. Mayor Stanek asked for comments from the public, there was general discussion regarding the project and likely schedule. Mayor Stanek asked for further comments, none were offered. Banowetz, second by Winkowski, moved to close the public hearing; motion carried – 5 to 0. Mayor Stanek closed the public hearing at 7:22 p.m.

Resolution No. 07-0611-34, Approving Plans, Specifications, Estimated Cost and Form of Contract. Ballantyne, second by Winkowski, moved to approve Resolution No. 07-0611-34.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith.

Nay: none.

Motion carried – 5 to 0.

Discussion Items

Park Development. Mayor Stanek initiated a discussion related to the development of the “new” Ely City Park: including financing, development of the park in several phases over several years, volunteers and fundraising, and overall project timetable. Mayor Stanek reported State Code requires the question of whether the City should issue debt for the cost of park development to be by Ely’s voters at a City election question before bonds may be issued. It was the general consensus of the City Council for the City Administrator to draft a survey to find the level of community support for the project, including the financial implications of issuing general obligation debt.

Sidewalk Program. Mayor Stanek initiated a discussion regarding establishing a program to have sidewalks installed in developed areas where there are gaps or sidewalks have otherwise not been built. Items discussed include: whether financial assistance or incentives should be offered; establishing a plan by “district”; provisions for property owners who have low and/or fixed incomes; and other options to encourage property owners. It was the general consensus of the City Council for the City Administrator to recommend a “district” plan, based on the City offering to pay 50% of the cost for a contractor to install sidewalks.

Outdoor Burning Regulations. City Administrator Anderson reported on outdoor burning regulations of other cities in Linn County and elsewhere in the Ely area, and related provisions of the Iowa Administrative Code. Council discussed this matter, noting the main areas of concern seem to be the outdoor burning of rubbish and waste generated from residential uses, with yard waste related burning less of a problem. It was noted that Ely provides residential garbage disposal service. It was the general consensus of the City Council to consider an ordinance that would ban outdoor burning of rubbish generated from residential use.

Sewer Connection Fee. Mayor Stanek initiated a discussion regarding sewer connection fees and the possibility of ending uniform sewer connection fees to be replaced by

subdivision specific fees intended to more accurately reflect the city's cost of infrastructure to the property. Items discussed include: allowing greater flexibility to assure the City is able to negotiate with developers, assuring fairness among various developments on this issue, and making sure the City collects connection fees on a reasonable and proportional basis. By general consensus City Council directed Mr. Anderson to prepare an ordinance for consideration that would rescind the general connection fee and authorize subdivision specific connection fees as part of Developers Agreements.

Water System Upgrades. Cary Solberg, of MMS Consultants, presented a preliminary report regarding upgrades to the City water system to improve fire capability, overall storage capacity and pressure issues for properties at higher altitude. City Council discussed the preliminary report and will consider further at next meeting.

2007 Wastewater Treatment Plant Improvements Project

Payment Application #4, Miron Construction Inc. – 2007 WWTP Project. Ballantyne, second by Smith, move to approve Payment Application #4 to Miron Construction in the amount of \$235,110.75 for work completed to date on the 2007 WWTP Project. Motion carried – 5 to 0.

28E Agreement with Linn County Conservation re: Trails Maintenance. Clerk-Administrator Anderson reported the Linn County Conservation Board has proposed an intergovernmental agreement under which both entities would maintain portions of the Hoover Nature Trail located within their respective jurisdictions.

Resolution No. 07-0611-35, Approving Agreement. Smith, second by Ballantyne, moved to approve Resolution No. 06-0611-35.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith.

Nay: none.

Motion carried – 5 to 0.

Retail Cigarette Permit Renewals. Clerk-Administrator Anderson reported properly completed renewal applications and permit fees have been received from Cleppe's 66 Service and Casey's Marketing Company. Mr. Anderson stated the Linn County Sheriff's Office reported a violation of cigarette permit laws by Casey's for sale to underage buyer and that Casey's has paid the administrative penalty set out in State Code. Meskimen, second by Winkowski, moved to approve renewal of the following Retail Cigarette Permits:

- Cleppe's 66 Service, 1555 State Street
- Casey's Marketing Company, dba Casey's General Store #2566, 1495 State Street.

Motion carried – 5 to 0.

Personnel & Employee Matters.

Employee Performance Reviews. Clerk-Administrator Anderson presented summaries of performance reviews conducted for the positions of Clerk/Administrator, Streets/Grounds Maintenance I and Deputy Clerk. The review for Mayor Stanek conducted Clerk/Administrator; reviews for other positions conducted by the Clerk/Administrator in

consultation with Mayor Stanek. Meskimen, second by Winkowski, moved to accept the Employee Performance Reviews. Motion carried – 5 to 0.

Resolution No. 07-0611-36, Compensation and Benefits for City Employees. Ballantyne, second by Banowetz, moved to approve Resolution No. 07-0611-36.

Aye: Meskimen, Banowetz, Winkowski, Ballantyne, Smith.

Nay: none.

Motion carried – 5 to 0.

Compensation for Mayor and City Council. Clerk/Administrator Anderson reported he had been unable to access League of Municipalities database for this information and will report at the July meeting.

Discussion Items. None

Meskimen, second by Winkowski, moved to adjourn. Motion carried – 5 to 0. The meeting adjourned at 8:41 p.m.

Dale Stanek, Mayor

Attest:

Aaron Anderson, Clerk/Administrator