

**ELY CITY COUNCIL
REGULAR MEETING
JUNE 14, 2010
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: Jim Miller, Mark Banowetz, Jim Strother, Jeff Hilleman, Tom Rohner, Elizabeth Rohner, Dave Rasmussen, Holly Rasmussen, Jennifer Jordebek, Keith Schulte, City Engineer Scott Pottorf and Clerk-Administrator Aaron Anderson.

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

- Agenda.
- Minutes of the May 10, 2010 regular City Council meeting
- Minutes of the May 17, 2010 City Council workshop meeting
- Treasurers Report for the period ended May 31, 2010.
- Bills Payable for June 2010 totaling \$108,614.31.
- Purchase order for \$1,612.00 to authorize Public Works Department to purchase hand tools and tool chests.
- Resolution No. 10-0614-16, Approving Interfund Transfers
- Renewal of Appointment of Lisa Hinton and Michelle Slezak to Library Board of Directors for terms to expire July 1, 2016.

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended May 31, 2010

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 30,720.04	\$ 28,929.48		\$ 565,064.45
Road Use	8,204.39	3,545.43		31,423.62
L O S T	12,476.49			56,729.36
TIF Fund	11,836.92			249,767.72
Debt Service	4,157.38			47,871.91
Other Projects		14,456.17		-141,292.49
Library Project				2,749.22
North End Infra				-28-219.93
Water Utility	15,644.97	32,644.10		262,705.22
Water/Sewer Reserve				100,000.00
Sewer Utility	22,770.96	7,066.95		131,784.98
Sewer Debt Service				-46,066.83
Sanitary Utility	6,192.72	5,979.77		47,439.83
PR Clearing	8,115.27	7,457.39		-270.97
Totals	\$ 119,619.14	\$ 99,809.29		\$ 1,279,686.00

Communications: Deputy Grote of the Linn County Sheriff’s Office presented the Monthly Activity Report.

Citizen Requests. Jim Miller, 1000 Vista Road, stated the repairs to Vista Road look pretty good.

Requests for Downtown Area Commercial Building Improvement Incentive

1655 Dows Street, North Dows Pizza, Jim Strother – Preliminary Request. Jim Strother explained his request to the Downtown Commercial Building Improvement Incentive program to install a decorative awning on the building he owns at 1655 for his business “North Dows Pizza” at a cost of \$3,488.56. Mayor Doyle and the City Council discussed this request with Mr. Strother, including whether it is eligible for a grant under the program. Ballantyne moved to grant preliminary approval of Jim Strother’s application for a grant through the Downtown Commercial Building Improvement Incentive program to install a decorative awning for North Dows Pizza at 1655 Dows Street, second by Stanek. Motion carried – 5 to 0.

1505 & 1505 ½ State Street, Dave Rasmussen – Preliminary Request. Dave Rasmussen explained his request for Downtown Commercial Building Improvement Incentive grant to perform several improvements to a commercial building he owns at 1505 & 1505 ½ State Street; noting the work would include re-painting, re-roofing and replacing windows, total estimated cost of the work - \$16,554. Mayor Doyle and the City Council discussed this request with Mr. Rasmussen, including whether it is eligible for a grant under the program and whether replacing a roof would be considered routine maintenance. Ballantyne moved to grant preliminary approval of Dave Rasmussen’s application for a grant through the Downtown Commercial Building Improvement Incentive program for improvements including re-painting, re-roofing and replacing windows for a commercial building he owns at 1505 and 1505 ½ State Street, second by Stanek. Motion carried – 5 to 0.

The City Council directed the City Administrator to include discussion of this program during a workshop session.

Northgate 4th Addition to the City of Ely, Linn County, Iowa

Resolution No. 10-0614-17, Approving Request for Final Plat of Northgate 4th Addition to the City of Ely, Linn County, Iowa. Mai moved to approve Resolution No. 10-0614-17, Approving Request for Final Plat of Northgate 4th Addition to the City of Ely, Linn County, Iowa, second by Ballantyne.

Aye: Stanek, Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Resolution No. 10-0614-18, Street Light Resolution for Northgate 4th Addition. Grove moved to approve Resolution No. 10-0614-18, Street Light Resolution for Northgate 4th Addition; second by Hale.

Aye: Stanek, Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Parks & Recreation Commission

Resolution No. 10-0614-18, Accepting Proposal for Preliminary Consultant/ Architectural Services for Park Shelter Schematic & Design Drawings. Mayor Doyle reported the Parks & Recreation Commission is seeking approval of a professional services agreement for architecture services with Solum Lang Architects, Ltd., of Cedar Rapids for \$2,900.00 for architectural services for a park shelter is to prepare shelter schematic design drawings of floor plan and exterior elevations, and estimated construction cost; with deliverables of 3D color. Dave Rasmussen, Park & Recreation Commission member, explained the commission hopes to use the graphics to assist with raising funds to build the shelter. The City Council discussed this matter with Mayor Doyle and Mr. Rasmussen. Grove moved to approve Resolution No. 10-0614-18, second by Mai.

Aye: Stanek, Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Public Hearing re: Ordinance No. 221 “Increasing the Number of Members of the Recreation Commission”. Grove moved to open a public hearing regarding proposed Ordinance No. 221, “Increasing the Number of Members of the Recreation Commission” at 7:36 p.m., second by Mai. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 7:36 p.m. Clerk-Administrator Anderson reported notice was published as required by law, and that no comments regarding the proposed ordinance were received verbally or in writing.

Mayor Doyle reported this ordinance would increase the number of members of the Parks & Recreation Commission from five to seven; and asked for comments from the public regarding the public hearing item. Bill Grove stated he is comfortable with increasing the number of people on the Parks & Recreation Commission as long as we don’t try to micro-manage and they don’t come to the City Council with hidden agendas.

Dale Stanek stated his concerns are the same as before, and that he would prefer a private Not for Profit Organization raise money for parks and recreation activities instead of enlarging the board.

Mark Banowetz asked why the change from five members to seven, and asked if the change was needed because of routine board member absences. Jeff Hilleman, Park & Recreation Commission Chair, stated there is not a problem with board member attendance, if a member misses a designated number of meetings the Commission will recommend City Council remove them from the Board. Dave Rasmussen stated there is not a problem with board member attendance now.

Jeff Hilleman, Park & Recreation Commission Chair, stated the commission suggests the change for the following reasons: increasing recreational leagues, Fall Fest is growing, addition of bike trail and “Waypoint”, the commission needs help with grant writing and fundraising, working on fundraising for the Waypoint and signage projects. Mr. Hilleman noted the Plan and Zoning Commission has seven members, and that Solon’s Park/Recreation commission is 6 members plus one paid staff to handle league and recreational activities. He stated the commission has added functions and duties and is coordinating more activities than in commission members did in the past.

Kay Hale stated it would be better for the commission to have all those functions built in to committees. Dave Rasmussen stated they are doing more with committees than in the past, and are working on forming a Non-Profit Organization (NPO). Ms Hale asked if there would be more grant opportunities if there were a Parks NPO, Mr. Rasmussen stated there would be.

Dale Stanek asked how we would fill two more board positions if there is an NPO and a city board. Dave Rasmussen stated the Library Board has seven members and an NPO. Bob Ballantyne stated the Friends of the Library is a private non-profit group, which makes more grant opportunities and more responsible handling of funds through IRS regulations. Mr. Ballantyne stated he thinks a "Friends of the Parks" type group is the way to go; and that it would be okay for members to be on both groups. Jeff Hilleman stated there are no difficulties filling openings now.

Mayor Doyle asked for further comments regarding the public hearing item, none were received or offered. Mai moved to close the public hearing at 7:46 p.m., second by Grove; motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 7:46 p.m.

First Reading of Ordinance No. 221 "Increasing the Number of Members of the Recreation Commission". Mai moved to introduce and approve the first reading of Ordinance No. 221, "Increasing the Number of Members of the Recreation Commission", second by Grove.

Aye: Grove, Hale, Mai,

Nay: Stanek, Ballantyne

Absent:

Mayor Doyle declared the motion carried and the ordinance introduced and first reading approved - 3 to 2.

Public Hearing re; Ordinance No. 222 "An Ordinance to Prohibit Parking at Ely City Park Between the Hours of 10:00 p.m. and 6:00 a.m." Grove moved to open a public hearing regarding Ordinance No. 222, "An Ordinance to Prohibit Parking at Ely City Park Between the Hours of 10:00 p.m. and 6:00 a.m." at 7:47 p.m., second by Mai. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 7:47 p.m. Clerk-Administrator Anderson reported notice was published as required by law, and that no comments regarding the proposed ordinance were received verbally or in writing.

Clerk-Administrator Anderson stated the ordinance would ban parking in Ely City Park between 10:00 p.m., and 6:00 a.m., consistent with the parks open hours; and that this ordinance would only apply to parking at Ely City Park. Mark Banowetz stated he has concerns because people are out at 5:00 a.m. to walk, the parks don't open until 6:00 a.m. so people would not be able to park in or walk in Ely City Park before 6:00 a.m. Mr. Banowetz stated Ely needs a law on the books that is enforceable and asked if parking would be a ticket-able offense.

Jeff Hilleman asked if it could be changed to ban "overnight" parking. Aaron Anderson replied "overnight" has been considered too vague for effective enforcement, as have the words "dawn" and "dusk". Discussion followed of the effectiveness of

changing the wording to allow parking at the park if using the trail, or to allow parking while park is closed but not over night.

Mayor Doyle asked for further comments regarding the public hearing item, none were received or offered. Stanek moved to close the public hearing at 7:52 p.m., second by Grove; motion carried 5-0. Mayor Doyle declared the public hearing closed and meeting in regular session at 7:52 p.m.

First Reading of Ordinance No. 222, “An Ordinance to Prohibit Parking at Ely City Park Between the Hours of 10:00 p.m. and 6:00 a.m.” Grove moved to introduce and approve the first reading of Ordinance No. 222, “An Ordinance to Prohibit Parking at Ely City Park Between the Hours of 10:00 p.m. and 6:00 a.m.” subject to the Clerk-Administrator researching phrasing options further; second by Mai.

Aye: Stanek, Grove, Hale, Mai, Ballantyne

Nay:

Absent:

Mayor Doyle declared the motion carried and the ordinance introduced and first reading approved – 5 to 0.

Hoover Nature Trail

Authorize Soliciting Proposals for Engineering Services – Ely Hoover Nature Trail Extension. Ballantyne moved to authorize soliciting proposals for engineering services to extend the Hoover Nature Trail through Ely to the intersection of State and Rowley Streets; second by Stanek. Motion carried – 5 to 0.

Authorize Forwarding an Offer to Purchase 2.5+/- Acres of Former Railroad Right of Way. Stanek moved to authorize forwarding an offer to purchase roughly 2.5 acres of former railroad right of way for a total of \$15,000 to Hawkeye Land Investment, contingent upon City Attorney approving the offer form; second by Grove. Motion carried – 5 to 0.

2010 Hillcrest Street Project

Public Hearing re: Plans, Specifications and Form of Contract. Stanek moved to open a public hearing regarding plans, specifications and form of contract for the 2010 Hillcrest Street Improvements Project at 7:58 p.m.; second by Mai. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 7:58 p.m. Clerk-Administrator Anderson reported notice was published as required by law, and that no comments regarding the proposed ordinance were received verbally or in writing.

Mayor Doyle asked for comments from the public regarding the public hearing item. Clerk-Administrator Anderson summarized and reported bids for the project were opened June 14, 2010.

Mark Banowetz asked if drainage on Hillcrest Street is adequate and acceptable. Clerk-Administrator Aaron Anderson replied the project plans were prepared and bids requested on the understanding the storm sewer repairs performed last year on Hillcrest Street allowed adequate drainage, and that recent rain storm events have shown that understanding to be incorrect. City Engineer Scott Pottorf stated that none are planned, though conditions are being reviewed. Mr. Pottorf stated that it was decided to proceed

with bid opening, with the possibility of performing a drainage/storm sewer improvement project separate from the street surface repairs. Mr. Pottorf stated he believed last year's storm sewer repairs were adequate, now it appears they were not. Mr. Banowetz asked if it would be possible to take bids for the drainage improvements before next month. Mr. Pottorf stated it may be possible, though it will be more important to find an effective solution by next month's meeting.

Mayor Doyle asked for further comments regarding the public hearing item, none were received or offered. Stanek moved to close the public hearing at 8:06 p.m., second by Hale; motion carried 5-0. Mayor Doyle declared the public hearing closed and meeting in regular session at 8:06 p.m.

Resolution No. 10-0614-20, Approving Plans, Specifications and Form of Contract for 2010 Hillcrest Street Project. Stanek moved to approve Resolution No. 10-0614-20, Approving Plans, Specifications and Form of Contract for 2010 Hillcrest Street Project; second by Hale.

Aye: Stanek, Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Review Bids Received. Scott Pottorf reported on bids received for the 2010 Hillcrest Street Project.

Resolution No. 10-0614-21, Accepting Bid and Awarding Contract. Stanek moved to table Resolution No. 10-0614-21; second by Mai.

Aye: Stanek, Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Water Tower and Water System Improvements Project. City Engineer Scott Pottorf updated on the status of this project, noting that DNR permit is still waiting for environmental clearance.

Downtown Dows Street Streetscape Project. Stanek moved to approve Resolution No. 10-0614-22, Approving Professional Services Agreement for Engineering Services for the Dows Street Streetscape Project with MMS Consultants, second by Grove.

Aye: Stanek, Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Employee Compensation

Report of Employee Performance Reviews. Stanek moved to approve the report of employee performance reviews as presented by the City Administrator, second by Grove. Motion carried – 5 to 0.

Resolution No. 10-0614-22, Setting Employee Wages and Salaried for City of Ely for FY 2010-11. Stanek moved to approve Resolution No. 10-0614-22, Setting Employee Wages and Salaried for City of Ely for FY 2010-11; second by Mai.

Aye: Stanek, Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Board/Commission Appointment Policy. Stanek moved to approve the City of Ely “Board/Commission Appointment Policy”, amended to include that City Council members are to be apprised when potential board members are to be interviewed by, or discuss the opening with, the relevant board; second by Mai. Motion carried – 5 to 0.

Discussion Items

Grove moved to adjourn, second by Mai. Motion carried – 5 to 0. The meeting adjourned at 8:44 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator