

**ELY CITY COUNCIL  
REGULAR MEETING  
JULY 8, 2013  
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, and Bob Ballantyne; Dave Rasmussen – absent/excused. Also present: Cullen Woods, Terry Smith, Jerry Kuntz, Kim Kuntz, Carrie Kimm, Randy Rohrer, Sarah Sellon, City Engineer Scott Pottorff, and Clerk-Administrator Aaron Anderson.

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

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

- Agenda,
- Minutes of the June 10, 2013 regular City Council meeting
- Minutes of the June 17, 2013 special City Council meeting
- Treasurers Report for the period ended June 30, 2013
- Bills Payable for July 2013 totaling \$115,800.70
- Renewal of Class E Liquor, Class B Wine, and Class C Beer all with Sunday Sales Privilege for Casey’s General Store – 1495 State Street
- Resignation of Dan Jacobi from the Planning and Zoning Commission with regret.

Motion carried – 4 to 0.

Treasurer’s Report (summary) for the period ended June 30, 2013

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 27,373.14	\$ 77,726.97		\$ 703,368.24
Road Use	13,659.29	35,246.82		60,819.00
L O S T		215,416.00		90,049.16
TIF Fund	769.74	171,413.00		134,872.04
Debt Service	285,556.00	323,653.75		-54,437.55
Other Projects	122,168.00	12,800.00		89,243.75
Library Project	9,042.00			-64.23
Way Point Sign		4,069.00		-17,474.76
North End Infra				-28,589.93
Water Utility	17,653.22	99,122.64		249,252.46
Water/Sewer Reserve	86,434.50	49,452.50		115,696.40
Sewer Utility	24,885.37	163,390.19		11,620.73
Sewer Debt Service	166,258.00	81,539.60		17,914.48
Sanitary Utility	6,341.13	7,353.17		39,025.56
Storm Water	8.00			10.00
Farmers Market	60.00			1,408.01
PR Clearing	10,628.53	13,927.07		3,501.64
Totals	\$ 767,836.92	\$ 1,254,104.71		\$ 1,416,214.97

**Communications.** Linn County presented the Sheriff’s Office Monthly Activity Report.

**Citizen Requests.** Jerry Kuntz, 1625 Fuhrmeister St., reported progress regarding clearing away nuisance conditions at 1505 Fuhrmeister Street; though the compost/waste accumulation and some weeds remain. Mr. Kuntz reported there are chickens on that property again.

Terry Smith discussed concerns related to possible projects on State Street and construction of the Hoover Trail along State Street south from Rowley Street with the Mayor and City Council. Mr. Smith noted the following:

- Safety concerns related to bicycle and automobile traffic.
- Loss of homeowners privacy and suggested the city install a privacy fence along this trail if and when built.
- Concerns for safety of small children related to who will be using or traveling on the trail.
- That traffic turning onto State Street from Rock Island seldom stops at the stop sign now, which could cause safety and access issues.
- Possibility from noise of bicyclists radios.
- Uncertainty of who the liable party is in regard to trail users; whether owner of adjacent property or the City.

### **Ely Firefighters' Party in Our Back Yard**

**Temporary Class B Beer with Outdoor Sales Permit, Ely Fire Department.** Stanek moved to approve a Temporary Five-Day Class B Beer with Outdoor Sales Permit for the Ely Fire Department, to be in effect August 10, 2013; second by Hale. Motion carried – 4 to 0.

### **Urban Chickens**

**Second Reading of Ordinance No. 236, An Ordinance to Allow and Regulate the Keeping of Chickens Within Ely City Limits.** Discussion regarding whether State Code allows the sale of eggs at a Farmers Market; and for a minor revision to the ordinance that suspension or revocation should be handled by the Mayor or Mayor's designee rather than Clerk/Administrator. Stanek moved to approve the second reading of Ordinance No. 236, An Ordinance to Allow and Regulate the Keeping of Chickens Within Ely City Limits, with §3-4.2.2(d) revised to read

“Suspension or Revocation of Permit. The permit may be suspended or revoked by the Mayor or Mayors designee upon hearing and finding evidence that the permittee has violated the conditions of the permit or the terms of this chapter; or made a false statement or representation on the application form. All chickens must be removed upon revocation of the permit. The permit fee will not be refunded.”

Hale seconded the motion.

Aye: Stanek, Grove, Hale, Ballantyne

Nay: None

Absent: Rasmussen

Mayor Doyle declared the motion carried and the second reading of said ordinance approved - 4 to 0.

### **Fall Fest**

**Authorize Temporary Closing of Dows Street from Alley East of Walker St to Main St for Fall Fest Street Dance, September 28, 2013.** City Administrator Anderson reported the

Parks Commission is working with Tom Rohner, owner of Odie's, for a Fall Fest street dance Saturday September 28, 2013; with two stages – one by Odie's and the other by the Library; and music to start around 4:00 p.m. at the stage by the Library. Mr. Anderson reported specifics are still being worked on, and that Parks Commission wanted to apprise the City Council of the possible request to close Dows Street and for outdoor liquor service area.

### **City Park Utilities Project**

**Final Acceptance of Work Performed – Kelly Demolition.** City Engineer Scott Pottorff reported all work included in the contract with Kelly Demolition for the Park Utilities project is complete and in compliance with plans and contract specifications. Stanek moved to approve final acceptance of work performed by Kelly Demolition for the City Park Utilities Project, second by Hale. Motion carried – 4 to 0.

**Final Payment Request – Kelly Demolition.** Stanek moved to approve request from Kelly Demolition for final payment under the City Park Utilities project for the amount of \$2,574.55, with payment not to be released until Kelly Demolition submits all required lien waivers; second by Grove. Motion carried – 4 to 0.

**Payment Request – Olson Brothers Sodding and Landscape.** Stanek moved to approve payment of \$3,720.00 for work performed to date, plus \$2,000.00 for extended warranty on work to Olson Brothers Sodding and Landscape; second by Hale. Motion carried – 4 to 0.

### **Public Works – Streets, Water, Sewer & Equipment.**

**Street Repair Program for Sewer Manholes & Concrete Sections & Curb and Sidewalk Repair, 1550 Plainview and 1510 Plainview.** Clerk/Administrator Anderson reported information on these items is not complete. Ballantyne moved to table these matters, second by Stanek. Motion carried – 4 to 0.

**Ely Entrance Sign.** City Administrator Anderson reported the Ely entrance sign was defaced overnight between Saturday June 29 and Sunday June 30. He reported soliciting input on methods and contractors to remove the graffiti, and that Division 4 Construction performed the work Tuesday July 2. Mayor Doyle and City Council discussed the matter; including offering reward for information that leads to arrest and conviction of the perpetrator, and purchase and installation of security cameras.

### **Administrative, Personnel and Staffing**

**Accept Resignation of Tim Stull.** City Administrator Anderson reported Tim Stull resigned the position of Public Works Maintenance/2<sup>nd</sup> Water/Sewer Operator, effective July 12, 2013. Grove moved to accept Mr. Stull's resignation with regret, second by Stanek. Motion carried – 4 to 0.

**Authorize Recruiting for Maintenance/2<sup>nd</sup> W/S Operator Position.** Stanek moved to authorize recruiting to fill the position of Public Works Maintenance/2<sup>nd</sup> Water/Sewer Operator with starting pay of \$15.00/hour; second by Hale. Motion carried – 4 to 0.

**Authorize Temporary Hire of Joe Vavra as Temporary Public Works Maintenance.** Stanek moved to authorize the temporary hire of Joe Vavra as part-time Temporary Public Works Maintenance at \$11.60/hour until the full time Public Works/2<sup>nd</sup> W/S Operator position is filled; second by Grove. Motion carried – 4 to 0.

**Discussion Items - None**

Hale moved to adjourn, second by Grove; motion carried – 4 to 0. The meeting adjourned at 7:58 p.m.

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James E. Doyle Jr., Mayor

Attest:

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Aaron Anderson, Clerk/Administrator