

**ELY CITY COUNCIL  
REGULAR MEETING  
JULY 9, 2007  
ELY CITY COUNCIL CHAMBERS**

Mayor Dale Stanek called the meeting to order at 7:00 p.m. Council members present: Kevin Meskimen, Tom Winkowski, Bob Ballantyne and John Smith; Mark Banowetz absent-excused. Guests included: Jim Miller, Jack Stewart, Jim & Millicent Cozzie, Bill Grove and Paul Stewart.

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

- Agenda.
- Minutes of the June 11, 2007 regular meeting.
- Treasurers Report for the period ended June 30, 2007
- Bills Payable for July 2007 except Hynek Farms in the amount of \$5,751.00
- Purchase Order for July 2007 as follows: Critter Control, bat/pest control \$1,650.00.
- Inter-Fund Transfers to be effective June 30, 2007 as follows: \$50,000 from Water to Water/Sewer Reserve Fund; \$133,600 from TIF to Debt Service.
- Appointment of Dean Billick, 230 Jappa Road; and Eldy Miller, 1965 Rock Island Rd., to the Ely Plan and Zoning Commission.
- Termination of Contract for Professional services with Jared Vogeler.

Motion carried – 4 to 0.

Treasurer’s Report (summary) for the period ended June 30, 2007

	Receipts	Disbursements	Ending Balance
General	\$ 6,668.60	\$ 40,428.56	\$ 297,894.84
Road Use	8,309.29	5,241.85	9,178.85
TIF Fund	2,236.54		380,026.52
Debt Service	903.26	16,707.50	-126,761.66
Other Projects			112,977.47
Library Project			3,169.70
Water Utility	17,395.77	6,034.53	198,186.70
Water/Sewer Reserve			50,000.00
Sewer Utility	271,707.07	261,622.90	199,119.49
Sanitary Utility	5,839.69	854.52	58,780.64
PR Clearing	4,334.82	3,616.67	-245.44
Totals	\$ 317,395.04	\$334,506.53	\$1,182,297.11

Communications: Deputy J.D. Uher presented the Sheriff Office’s Monthly Activity Report.

**Citizen Requests.** None

**Request for Re-Subdivision, Meadow Brook Addition Part Two– Residential Solutions, LLC.** Clerk-Administrator Anderson reported the City has received a request from Residential Solutions, LLC, for preliminary and final plat, titled Meadow Brook Addition Part Two, to re-subdivide three previously platted lots. Mr. Anderson reported the subject parcel is located in the northwest corner of the Meadow Brook Addition, between Jappa Road and Meadow Place, and would result in the creation of no new lots, but would change lot sizes and geometrics. He

reported the Plan and Zoning Commission has reviewed the proposed preliminary plat and that the P&Z recommends approval subject to the following conditions;

1. Developer to install an 8" diameter sanitary sewer main that extends from Meadow Place to Jappa Road along the north property line of the "new" Lot 19.
2. Developer is to provide an easement totaling at least twenty feet (20') in width for said sanitary sewer main.
3. Access to "new" Lot 19 to be from Meadow Place.

Paul Stewart, representing Residential Solutions LLC, stated the developer does not desire to incur the cost of extending an 8" sanitary sewer main to Jappa Road, and noted that they had done everything the City asked in regard to the Meadow Brook Addition. Mr. Stewart stated the City had ample opportunity to realize the omission of sanitary sewer extension to Jappa Road and correct the situation. The City Council discussed this matter with Mr. Stewart, including extension of sidewalks both in the subject parcel and in the original Meadow Brook Addition along Jappa Road. Mr. Stewart stated the developer would install sidewalks adjacent to Jappa Road for the southern lots in Meadow Brook.

Meskimen, second by Ballantyne, moved to table action on this request for additional information, including additional information from the City Engineer. Motion carried – 4 to 0.

#### **Rogers Creek Trunk Project. .**

**Review Bids Received for Construction of Project.** Cary Solberg, MMS Consultants, reported bids were received and opened on June 25<sup>th</sup>, as advertised, and the following bids were received:

<u>Bidder, City</u>	<u>Total Bid</u>
Maxwell Construction, Iowa City	\$381,463.70
Bockensdedt Excavating, Inc, Iowa City	\$385,543.75
Yordi Exvacating, Inc, Cedar Rapids	\$402,361.90
Young Industries, Blairstown IA	\$474,979.00
Dave Schmitt Construction, Cedar Rapids	\$ 522,945.05
Synergy Contractual, LLC, Ankeny IA	\$568,347.80

**Resolution No. 07-0709-39, Making Award of Construction Contract for the 2007 Rogers Creek Trunk Project to Maxwell Construction of Iowa City, Iowa.** Meskimen, second by Winkowski, moved to approve Resolution No. 07-0709-39 and award a construction contract for the 2007 Rogers Creek Trunk Project to Maxwell Construction in the amount of \$381,463.70, subject to Ely gaining easements needed from the affected property owners.

Aye: Meskimen, Winkowski, Ballantyne, Smith.

Nay: none.

Motion carried – 4 to 0.

**Authorize Terms of Easements.** Ballantyne, second by Winkowski, moved to approve the terms of easements the City requests from property owners to allow the city to locate the Rogers Creek Trunk project on their property, as prepared by City Attorney Hatala. Motion carried – 4 to 0.

**Water System Upgrades.**

**Engineer's Report.** Cary Solberg presented a final report regarding options to upgrade the City's water system in regard to storage capacity and ability to provide adequate pressure to properties at higher elevations. The Mayor and City Council discussed this matter: including Mr. Solberg's report and other options that may be available to address these issues in a manner that is less costly to Ely and Ely residents. No action was taken on this matter.

**2007 Wastewater Treatment Plant Improvements Project****Payment Application #5, Miron Construction Inc. – 2007 WWTP Project.**

Meskimen, second by Ballantyne, move to approve Payment Application #5 to Miron Construction in the amount of \$144,678.35 for work completed to date on the 2007 WWTP Project. Motion carried – 4 to 0.

**Park Development**

**Review Project Phasing & Preliminary Cost Opinion Report.** Cary Solberg, of MMS Consultants, presented a "Project Phasing Report and Preliminary Cost Opinion for the Ely City Park" prepared by MMS Consultants dated June 14, 2007. The Mayor and City Council discussed this matter, including: detention pond is based on worst-case scenario and would be smaller if offsite drainage is controlled, detention pond as shown is designed to have a "wet bottom" with a likely average depth of ten feet; scheduling of improvements and construction of detentions pond in relation to the development of neighboring properties; and the possibility for algae growth in the retention pond and impact of fertilizers from offsite erosion.

**Review & Authorize Survey.** The Mayor and City Council reviewed a survey regarding interest in and support for developing the Ely City Park prepared by the Clerk-Administrator. Meskimen, second by Winkowski, moved to authorize distributing the park survey in the next City newsletter with the following changes: add a question regarding preference for a swimming pool or splash pad; financial impacts should show the higher estimated range, and addition of a space for comments. Motion carried – 4 to 0.

**Sidewalk Program.**

**Proposed Policy and Plan for Repair and Construction of Sidewalks.** The Mayor and City Council reviewed a proposed policy prepared by the Clerk-Administrator. Items discussed include: revisions to the "Sidewalk District Map" to divide the North Central district at Plainview Road and identifying priority areas to encourage property owners to install sidewalks that fill gaps in otherwise continuous run of sidewalk.

**Outdoor Burning Regulations.****Schedule Public Hearing re: Ordinance to Prohibit Outdoor Burning of Residential Waste.**

Meskimen, second by Ballantyne, moved to conduct a public hearing at 7:00 p.m., August 13<sup>th</sup>, 2007 regarding an ordinance to prohibit outdoor burning of residential waste. Motion carried – 4 to 0.

**Sewer Connection Fee.** The Mayor and City Council discussed sewer connection fees, including: purpose of the fees, that minimum and maximum fees should be established to allow

negotiation with Developers or other parties as needed to meet the city's costs; that the City should maintain a base fee with specific criteria and formula for determining any fee greater than the base; that it may be appropriate to factor in linear feet served in the fee.

**Dows Street Streetscape Improvements Project.**

**Project Overview Report and Preliminary Cost Opinion.** Cary Solberg, of MMS Consultants, presented a "Project Overview Report and Preliminary Cost Opinion" for the Dows Street Streetscape Improvements dated June 13, 2007. The Mayor and City Council discussed this matter with Mr. Solberg, including general design, estimated costs and possible financial assistance programs.

**Speed Limit on Dows Street From Jappa Rd to Rogers Creek Rd.** Meskimen, second by Winkowski, moved to install "Speed Limit 25 MPH" signs on Dows Street from Jappa Road to Rogers Creek Road. Motion carried - 4 to 0.

**Request to Southslope Telecommunications for Community Access Channel.** Meskimen, second by Smith, moved to request Southslope Telecommunications provide the City of Ely a Community, Public, Educational and Governmental channel, per the terms of the cable television franchise. Motion carried - 4 to 0.

**Compensation for Mayor and City Council.** Meskimen, second by Winkowski, moved to schedule a public hearing for 7:00 p.m. August 13, 2007 regarding an ordinance to revise the Mayor's compensation to \$4,000 per year, and to revise Council members compensation to \$40 per meeting. Motion carried - 4 to 0.

**Request for Subdivision Outside but Within 2-Miles of City Limits, Lochner First Addition to Linn County.**

**Resolution No. 07-0709-40, Approving Request for Subdivision.** Ballantyne, second by Smith, moved to approve Resolution No. 07-0709-40.

Aye: Meskimen, Winkowski, Ballantyne, Smith.

Nay: none.

Motion carried - 4 to 0.

**Discussion Items.** None

Meskimen, second by Smith, moved to adjourn. Motion carried - 4 to 0. The meeting adjourned at 8:38 p.m.

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Dale Stanek, Mayor

Attest:

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Aaron Anderson, Clerk/Administrator