

**ELY CITY COUNCIL
REGULAR MEETING
JULY 11, 2011
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, Donald Gugler, Keith Schulte, Dave Rasmussen, Jeff Hilleman, City Engineer Scott Pottorf and Clerk-Administrator Aaron Anderson.

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

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

- Agenda.
- Minutes of the June 13, 2011 regular City Council meeting.
- Treasurers Report for the period ended June 30, 2011.
- Bills Payable for July, 2011 totaling \$148,864.04
- Resolution No. 11-0711-43, Authorizing Lien for Delinquent Utility Fees.
- Resolution No. 11-0613-44, Authorizing Lien for Delinquent Utility Fees.
- Appointment of Daniel Whittaker to the Ely Public Library Board of Directors, per the Board's recommendation.

Motion carried – 5 to 0.

Treasurer's Report (summary) for the period ended June 30, 2011

| | Receipts | Disbursements | Transfers | Ending Balance |
|---------------------|---------------|----------------|-----------|----------------|
| General | \$ 13,969.66 | \$ 40,719.82 | | \$ 690,624.26 |
| Road Use | 5,761.32 | 10,176.32 | | 30,660.52 |
| L O S T | 15,142.61 | 135,038.00 | | 22,156.73 |
| TIF Fund | 920.47 | 138,220.00 | | 34,988.89 |
| Debt Service | 154,868.84, | 474,615.00 | | -270,462.70 |
| Other Projects | 141,859.00 | 131,133.91 | | 538,445.14 |
| Library Project | | 57,859.00 | | 2,479.22 |
| Way Point Sign | | | | 12,541.65 |
| North End Infra | | | | -28,193.93 |
| Water Utility | 418,612.53 | 288,384.92 | | 356,917.99 |
| Water/Sewer Reserve | | | | 100,000.00 |
| Sewer Utility | 25,169.75 | 158,509.74 | | 56,743.24 |
| Sewer Debt Service | 184,575.00 | 186,418.75 | | -85,768.76 |
| Sanitary Utility | 6,728.93 | 6,224.52 | | 44,167.46 |
| Farmers Market | | | | 607.00 |
| PR Clearing | 13,105.14 | 5,392.17 | | 9,596.35 |
| Totals | \$ 980,713.25 | \$1,632,892.15 | | \$1,515,773.06 |

Communications: Linn County Deputy Pavelka presented the Sheriff's Department monthly activity report. Bill Grove asked what the law is regarding kids riding electric scooters in the street. Deputy Pavelka reported he talked with parents to have them not be on the street. Deputy

Pavelka reported engine size is the determining factor in whether a vehicle needs to be registered, and stated it is okay for vehicles that do not need registered to travel on city streets.

Citizen Requests. Jim Miller stated the Volunteer Fire Department thanks the city workers for putting up and taking down barricades for the 4th of July Pancake Breakfast. Mr. Miller reported they served 3,809 at the breakfast, which is a new record.

Request to Address Erosion from Storm Sewer Outlet at South end of North Street into Louis Field Addition Pond. Mayor Doyle reported advice from City Attorney Hatala regarding the need for Ely to have a drainage easement over the land between the storm sewer outlet and the water line of the pond in order for the city to be able to work in that area, and that the owners should provide survey and easement for the city's consideration. It was the consensus of the City Council to communicate the above to the Louis Field 3rd Addition Home Owners Association.

2011 Hillcrest Street Improvements Project

Resolution No. 11-0711-45, Approving Change Order No. 4. Mayor Doyle reported Change Order No. 4 to the contract with Schmitt Construction is for additional work to install a storm sewer in close proximity to a water line that was inaccurately marked in the construction plans and would increase the total cost of the contract \$800.00. Ballantyne moved to approve Resolution No. 11-0711-45, second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Request for Payment No. 3, Dave Schmitt Construction. Stanek moved to approve Request for Payment No. 3 to Dave Schmitt Construction for the 2011 Hillcrest Street Improvements project for the amount of \$81,341.89; second by Mai. Motion carried – 5 to 0.

Downtown Dows Street Streetscape Project.

Discuss Installing Bicycle Racks. Mayor Doyle and the City Council discussed options for placing bicycle racks in the downtown area along Dows Street. Considerable discussion of installing smaller racks on the sidewalk perpendicular to Dows Street, on north and south sides of the street, and working with Tom Rohner at Odie's for a larger rack off the sidewalk.

Public Hearing re: the Authorization of a Loan and Disbursement Agreement and the Issuance of Notes to Evidence the Obligation of the City thereunder. City Administrator Anderson reported notice of the public hearing was published and posted as required by law. Stanek moved to open a public hearing regarding authorization of a \$765,000 general obligation loan and disbursement agreement and the issuance of notes to evidence the debt at 7:36 p.m., second by Ballantyne. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 7:36 p.m. City Administrator Anderson

reported no comments or objections were received verbally or in writing prior to the meeting. Mayor Doyle asked for comments regarding the public hearing item.

Mayor Doyle reported this hearing is in regard to issuance of \$765,000 General Obligation bond for the Dows Streetscape project; that the city's intent has been to repay the bond via TIF proceeds. Mayor Doyle asked for any other comments, none were offered. Stanek moved to close the public hearing at 7:38 p.m.; second by Grove. Motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 7:38 p.m.

Resolution No. 11-0711-46, Resolution Instituting Proceedings to Take Additional Action for the Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$765,000 General Obligation Capital Loan Notes and Approving Official Statement, Approving Electronic Bidding Procedures and Official Statement. Stanek moved to approve Resolution No. 11-0711-46, 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. 11-0711-47, Accepting Financial Advisory Services Agreement with Piper Jaffray & Co. re: Issuance of \$765,000 CO Capital Loan Notes, 2011B. Stanek moved to approve Resolution No. 11-0711-47, second by Hale.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Resolution No. 11-0711-48, Approving “Consent to Allow Piper Jaffray to Submit a Sealed Bid for the Purchase of the Bonds which are to be Sold at a Competitive Sale”. Stanek moved to approve Resolution No. 11-0711-49, second by Grove.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Resolution No. 11-0711-36, Accepting Temporary Construction Easements. Stanek moved to approve Resolution No. 11-0711-36, second by Hale.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Payment Request No. 1, Rathje Construction. Mai moved to approve Payment Request No. 1 to Rathje Construction for the 2011 Dows Streetscape Project for the amount of \$3,300.00; second by Ballantyne. Motion carried – 5 to 0.

Farmers Market Sign – North End & Request for Permit to Work in Right of Way. Mayor Doyle reported the Ely Farmer’s Market group received approval to use grant money to install a year around sign along State Street at the north end of town, and that the cost of the sign and installation will be paid entirely by the grant and market fees. Stanek moved to approve placing the sign and to authorize submission of a “Request for Permit to Work in Right of Way” to Linn County, second by Grove. Motion carried – 5 to 0.

2011 Water Tower Improvements Project

Payment Request No. 4, Phoenix Fabricators. Stanek moved to approve Payment Request No. 4 to Phoenix Fabricators under “Contract A” of the 2011 Water Tower Improvements Project for the amount of \$57,760.00; second by Grove. Motion carried – 5 to 0.

Payment Request No. 1, Bockenstedt Excavating. Stanek moved to approve Payment Request No. 1 to Bockenstedt Excavating under “Contract B” of the 2011 Water Tower Improvements Project for the amount of \$60,404.33; second by Grove. Motion carried – 5 to 0.

Policy Statement re: Participation in Cost for Installation of Pressure Reducing Valves. Mayor Doyle and the City Council discussed options for subsidizing the cost to home and business owners of installing pressure reducing valves. Options discussed include, but are not limited to: reimbursing for one-half the cost to purchase and install, providing pressure reducing valves with building owner to install and limiting the program by location or age of building. Grove, second by Hale, moved as follows:

- The City of Ely will provide a standard ¾” size pressure reducing valve to any Ely water customer at no direct cost to the customer; the customer is to have the pressure reducing valve installed by a plumber or other qualified person at the customer’s expense.
- The city will provide a standard ¾” pressure reducing valve to any Ely water customer.
- City staff will confirm the pressure reducing valve was installed at the customer’s address.
- The customer’s plumber is to pick up pressure reducing valves at City Hall and report the address of home or building where it will be installed.

Motion carried – 5 to 0.

Public Works – Streets, Water, Sewer & Equipment

One Side of Street Parking – Follow Up Report. Mayor Doyle and the City Council reviewed a follow up report from City Administrator Anderson regarding possible new one-side of street only parking locations. It was the consensus of the City Council to ask the Planning and Zoning Commission to review and comment on the proposal.

Approve Quote for Street Striping – State Street. Grove moved to accept a quote from L.L. Pelling Co., to paint stripes on State Street at the cost of \$.1448/lf, or \$4,538 for the estimated total of 31,344 lineal feet; second by Stanek. Motion carried – 5 to 0.

Resolution No. 11-0711-49, Delegating the Authority to Certify Unpaid City Utility Services to the County Treasurer to the City Clerk/Administrator. Stanek moved to approve Resolution No. 11-0711-49, second by Hale.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

Downtown Dows Street – Parking

Review Options re: Acquisition of Land for Public Parking Areas and Potential Offer for Purchase of Parcel(s). City Administrator Anderson reported no progress on this matter. It was the consensus of the City Council for Mr. Anderson to communicate the city’s interest in writing.

Discussion Items

Hale moved to adjourn, second by Ballantyne; motion carried – 5 to 0. The meeting adjourned at 8:33 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator