

**ELY CITY COUNCIL
REGULAR MEETING
AUGUST 8, 2016
ELY CITY COUNCIL CHAMBERS**

Mayor Eldy Miller called the meeting to order at 7:00 p.m. Council members present: Teri Billick, Stephanie Mehmen, Kay Hale, Judy Wery and Elizabeth Rohner. Also present: Jim Miller, Glenn Buresh, Frances Buresh, Alan Wery, Carrie Kimm, Randy Rohrer, Kerry Vincent, Nancy Vincent, Chuck Crutchly, Dan Whittaker, J. Hansen., DJ Wacker, Loren Hoffman, Butch Wieneke, Annette Wieneke, Tom Rohner, Public Works Director Ron Stark, City Engineer Scott Pottorff and Clerk-Administrator Aaron Anderson.

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

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

- Agenda, as presented.
- Minutes of the July 11, 2016 regular meeting.
- Treasurer's Report for the period ended July 31, 2016.
- Bills Payable for August, 2016 totaling \$89,748.38.
- Appointment of Annie Palas, 1872 Wrigley St. to Plan and Zoning Commission.

Motion carried – 5 to 0.

Communications. Library Board Chair Dan Whittaker reported on activities at the Ely Public Library. Linn County Sheriff's Deputy presented the Sheriff's Office Monthly Activity Report.

Citizen Requests. Kerry Vincent complained of overgrown weeds and cars stored behind 1555 Hillcrest Street; Mayor and Council directed Clerk/Administrator to notify property owner to mow and remove the cars.

Carrie Kimm, 1515 Fuhrmeister Street, reported the drainage way in her backyard is eroding badly and needs attention to correct, and noted trees and other vegetation build up on drainage easement from neighbor's side. Public Works Director Ron Stark will investigate and report to City Council.

Request for Dedicated Parking Spaces on Dows Street for CR Whiskey Sauce, 1665 Dows St., and Cloud 9, 1685 Dows St. Clerk-Administrator Anderson reported Shea Ryan, owner of CR Whiskey Sauce, has located her business to 1685 Dows Street, plans to open for retail sales and requested the City set aside parking spaces on Dows Street specifically for her business and for Cloud 9 next to her. Mayor and City Council discussed and noted the similar previous request from Tammy Bryant which City Council declined.

Schedule Public Hearing re: Ordinance to Limit Parking for Use of Businesses at 1665 and 1685 Dows Street. Mr. Anderson reported parking regulations are set by ordinance, including limitations on use or availability. A motion was not offered to schedule a public hearing to enact an ordinance restricting use of two parking spaces in front of 1665 and 1685 Dows Street.

Fall Fest – September 16, 17 & 18, 2016. Mayor and City Council considered requests and action regarding several items for Fall Fest, 2016.

Mehmen, second by Hale, moved as follows:

- To approve the request to close the segment of Dows Street from 4:30 p.m. Saturday September 17, 2016 5o as late as 1:00 a.m. Sunday September 18, 2016 by motion and vote
- To approve the request for Odies temporary outdoor service area in conjunction with the Ely Fall Fest Street Dance for Saturday September 17, 2016;
- To authorize the City of Ely to apply for a temporary 5-day Class B Beer Permit with Outdoor Sales Permit for the following dates; Friday September 16 and Sunday September 18, 2016.
- To approve issuance of City of Ely Temporary 5-Day Class B Beer Permit with Outdoor Sales privileges for Friday September 16, and Sunday September 18, 2016 by motion and vote
- To purchase \$4,500 of fireworks from J&M Displays.
- To approve agreement for J&M to provide fireworks and \$10M liability insurance for the event, fireworks display by certified pyro-technician Marv Peters.
- To approve a permit for Fireworks Exhibition Saturday September 17, 2016, ran date Sunday September 18, 2016.
- To authorize the following temporary street closings and parking restrictions:
 - Dows St. No Parking from Hillcrest to North Drive 6:00 p.m. through 9:00 p.m. on Friday September 16, 2016
 - Rowley Street: Street closed from State Street to Main Street 5:00 a.m. through 5:00 p.m. on Saturday September 17, 2016
 - Walker Street: Street closed from Rowley Street to north edge of 1445 Walker St from 5:00 a.m. through 5:00 p.m. This would close roughly one-half of a block north of Rowley St. on Saturday September 17, 2016
 - Main Street/Banner Valley Rd: Street Closed from south side of Dows (by Post Office) to west side of intersection with Pacific Street from 7:00 a.m. through 3:30 p.m. on Sunday September 18, 2016.

Motion carried – 5 to 0.

Clerk-Administrator Anderson reported Parks Commission requested permission to hold the Fall Fest Cornhole Tournament on the Downtown Main Street Parking Lot. Mayor and City Council discussed the matter including the demand for parking spaces during Fall Fest, and effect on traffic and parking in north Main Street area; City Council did not approve this request due to concerns of demand for parking and effect on parking and traffic in the immediate area.

Buresh Estates Third Addition

Public Hearing re: Ordinance No. 250, An Ordinance to Establish Speed Zones on Jappa Road. Mehmen moved to open a public hearing regarding Ordinance No. 250, An Ordinance to Establish Speed Zones on Jappa Road at 7:20 p.m., second by Billick. Motion carried – 5 to 0. Mayor Miller declared the public hearing open at 7:20 p.m. Mayor Miller summarized the proposed ordinance, noting that it would set speed limit for north and

southbound traffic at 35 mph 250 feet north of Rogers Creek Road, and 25 mph from Dows Street to a point 250 feet north of Rogers Creek Road. He noted that Linn County needs to concur and set the same speed limit for the segments of Jappa Road where the east side is under Linn County's jurisdiction. Mayor Miller asked for comments from the public, none were offered. Rohner moved to close the public hearing at 7:22 p.m., second by Wery. Motion carried – 5 to 0. Mayor Miller declared the public hearing closed and meeting in regular session at 7:22 p.m.

First Reading of Ordinance No. 250, An Ordinance to Establish Speed Zones on Jappa Road. Wery moved to introduce and approve the first reading of Ordinance No. 250, An Ordinance to Establish Speed Zones on Jappa Road; second by Rohner.

Aye: Billick, Mehmen, Wery, Rohner
Nay: None
Absent/Abstain: Hale

Mayor Miller declared the motion passed and first reading of Ordinance No. 250 approved – 4 to 0.

Glenn and Frances Buresh re: City's Future Plans for Sidewalks. Glenn and Frances Buresh asked what Ely's plans are regarding future plans for sidewalk along Jappa Road. Mayor and City Council discussed, consensus was that Ely needs to try to find a general plan for extending sidewalk north along Jappa Road.

Approved Revised Construction Plans re: Storm Water Management/Drainage. City Engineer Scott Pottorff reported Glenn and Frances Buresh seek to revise the construction plans for Buresh Estates Third Addition to change storm water management and how drainage is handled. He reported the proposed changes redirect some storm water to the Jappa Road ditch and then to a storm water detention cell on the north of the property; along with some other changes. Mr. Pottorff reported he reviewed the proposed changes and considers them acceptable. Mehmen moved to approved revisions to the construction plans for Buresh Estates 3rd Addition dated July 19, 2016; second by Rohner. Motion carried – 4 to 0; Hale abstaining due to conflict of interest.

Fire Lake Event Center.

Resolution No. 16-0808-24, Approving Site Plan. City Engineer Scott Pottorff reported Developers, Crutchly Farms, Inc. and DJ Wacker request approval of a site plan to construct a roughly 6,944 square foot event center on a 58.9+/- acre parcel they own on the south side of Rogers Creek Road, in Ely, and does not include an onsite micro-brewery as preliminary versions of the site plan had. The proposed site plan includes: plans to improve Rogers Creek Road from the bridge to the east edge of the drive access to the property; install a water main along Rogers Creek Road to serve the property; and installation of sanitary sewer to serve the property; construction information for on-site private improvements such as the access lane/drive off Rogers Creed Road, water and sanitary sewer, parking lot design, and parking lot lighting design; and grading and drainage plan for the site, including construction of three private storm water management basins. Mr. Pottorff reported he reviewed the proposed site plan and recommends approval.

Mayor, City Council, and Scott Pottorff discussed the request with Butch Wieneke. Mr. Pottorff noted that runoff from Fire Lake property will not drain to the Wieneke property to the south and will instead run to the west via a swale to be constructed by the developer. Mr. Pottorff noted the storm water management plan shows that the 100-year post-development storm event will be stored on site and released at the 5-year pre-development rate as required by City ordinance and that Fire Lake water will flow only on Fire Lake property.

Loren Hoffman, representing Fire Lake Event Center, stated they are near an agreement with Duane Kunkel regarding extending sanitary sewer from the Deer Valley Addition north to the Fire Lake property without a “tapping fee”; and that an easement with Mr. Kunkel is under way.

Butch Wieneke asked about street connection from Kunkel/Deer Valley Addition to the Fire Lake property, Mayor Miller noted Glendale Lane will extend through Deer Valley to the Fire Lake property. Mr. Wieneke stated he wanted to make sure their property to the east is not landlocked regarding extending water and sanitary sewer. Mayor Miller noted Ely required water and sanitary sewer to extend through Kunkel/Deer Valley to the east property line in at least one location.

Mehmen moved to approve Resolution No. 16-0808-24, Approving Site Plan; second by Hale.

Aye: Billick, Mehmen, Hale, Wery, Rohner

Nay: None

Absent/Abstain: None

Mayor Miller declared the motion passed and resolution approved – 5 to 0.

Resolution No. 16-0808-25, Approving Developers Agreement. Clerk-Administrator Anderson reported the Developers Agreement is not ready for consideration. Hale moved to table Resolution No. 16-0808-25, Approving Developers Agreement, second by Wery. Motion carried – 5 to 0.

Public Works – Streets, Water, Sewer & Equipment

Knoll Court and Ranmar Court Street Resurfacing. Mr. Anderson reported the state competitive bid requirement comes applies to situations in which the cost of street improvements is expected to be greater than \$55,000 for all proposed to be included in the project. Ely must use the formal bid process if soliciting bids that include an alternate that the city is likely to award the contract for. Mayor and City Council discussed this matter with City Engineer; including timing of bids and project, and how the work would be paid for in relation to other street work being considered. Hale moved to direct City Engineer to proceed to develop plans, specifications and bid documents for a project to resurface Knoll Court and Ranmar Court, with Ranmar Court as a bid alternate, bids to be opened in January, 2017; second by Mehmen. Motion carried – 5 to 0.

Review Quotes for Concrete Street Panel Repairs. City Administrator Anderson reported Public Works Director Ron Stark sent out a Request for Quotes for quotes to repair concrete

street panels at specific location. Mr. Anderson reported Ely received the following quotes to perform the work per the Request for Quotes:

Base Quote	Metro Pavers	B.G.Brecke, Inc	Dan Schmitt Construction	Schrader Excavating
1 Intersection Southbrook & Glendale	\$ 16,500.00	\$ 18,368.00	\$ 14,835.00	\$ 12,742.80
2 1215 Glendale Lane	\$ 11,800.00	\$ 10,320.00	\$ 9,720.00	\$ 8,127.00
3 1200 Glendale Lane Intersection Glendale & Hillside Drive	\$ 19,300.00	\$ 24,640.00	\$ 18,468.00	\$ 17,479.00
4 Drive	\$ 19,900.00	\$ 24,864.00	\$ 19,895.00	\$ 16,006.20
5 1835 Southbrook Drive	\$ 35,800.00	\$ 50,176.00	\$ 36,540.00	\$ 34,809.60
6 1875 Southbrook Drive	\$ 50,000.00	\$ 71,232.00	\$ 50,694.00	\$ 48,081.60
7 1925 Southbrook drive	\$ 24,900.00	\$ 34,496.00	\$ 25,200.00	\$ 24,362.80
8 1935 Southbrook Drive	\$ 25,600.00	\$ 35,840.00	\$ 26,145.00	\$ 25,200.00
Total Base Quote	\$ 203,800.00	\$ 269,936.00	\$ 201,497.00	\$ 186,809.00
Other				
Sub base repair	\$31.00/ton			
Core out & replace with McAdam base		\$25.00/cy		
Traffic control/testing			\$ 3,000.00	
Crack Seal				\$ 3,000.00
Mobilization				\$ 2,000.00
Known/Necessary "Other"			\$ 3,000.00	\$ 2,000.00
Total Base Quote & Known "Other"	\$ 203,800.00	\$ 269,936.00	\$ 204,497.00	\$ 188,809.00

Mayor and City Council discussed the quotes received with Public Works Director Ron Stark and Mr. Anderson; including locations, that Schrader Excavating expects to start work in August, and sources of money to pay for the proposed work. Consensus of Mayor and City Council is to use the \$250,000 budgeted for general capital projects to pay for the concrete panels repair project and a portion of the Knoll Court/Ranmar Court resurfacing project, and use Road Use Tax proceeds for the balance of the cost of that project.

Resolution No. 16-0808-26, Accepting Quote for Concrete Street Panel Repairs. Mr. Anderson reported this resolution accepts the quote from Schrader Excavating, Hale moved to approve Resolution No. 16-0808-26, Accepting Quote for Concrete Street Panel Repairs; second by Mehmen.

Aye: Billick, Mehmen, Hale, Wery, Rohner

Nay: None

Absent/Abstain: None

Mayor Miller declared the motion passed and resolution approved – 5 to 0.

Accept Quote for Engineering Services to Replace Conduit and Wiring at WWTP.

Public Works Director Ron Stark reported they have been attempting to resolve ongoing failure of valve actuators at the WWTP; the valve actuators fail due to water getting into them. He reported there is water in the conduit, which affects the wires and actuators. Mr. Stark reported electricians require an engineered plan for repairs to address the problem. Mr. Anderson reported City Engineer Scott Pottorff presented a quote to perform the engineering work necessary to for an engineered solution to repair this problem for a cost of \$2,500.00, with quotes due in time for City Council to consider September 12, 2016. Hale moved to

accept MMS Consultants quote of \$2,500.00 to perform engineering services for a project to replace conduit and wiring at the WWTP, second by Wery. Motion carried – 5 to 0.

Authorize Hire of Part-Time Seasonal Labor. Mehmen moved to authorize the temporary hiring of Joe Honn as a part-time seasonal laborer to perform trimming at roughly 12 hours/week at \$10/hour wage, second by Rohner. Motion carried – 5 to 0.

Administrative, Personnel and Staffing

Policy re: Adjusting City Utility Bills to Lower Sewer Fees for Temporary Outdoor Water Uses. Mayor and City Council directed the City Clerk/Administrator to draft a plan to grant staff discretion to adjust resident utility bills by forgiving a portion of the sanitary sewer fee under certain listed conditions for Council consideration in September.

Resolution No. 16-0808-27, Amending Ely Employee Handbook. City Administrator Anderson reported this resolution updates the Ely Employee Handbook to reflect changes regarding employee health insurance coverage to be consistent with employee health insurance policy approved in April, 2016. Hale moved to approve Resolution No. 16-0808-27, second by Wery.

Aye: Billick, Mehmen, Hale, Wery, Rohner

Nay: None

Absent/Abstain: None

Mayor Miller declared the motion passed and resolution approved – 5 to 0.

Resolution No. 16-0808-28, Approving FY 2015-16 City Street Financial Report. Hale moved to approve Resolution No. 16-0808-28, Approving FY 2015-16 City Street Financial Report, second by Mehmen.

Aye: Billick, Mehmen, Hale, Wery, Rohner

Nay: None

Absent/Abstain: None

Mayor Miller declared the motion passed and the resolution approved - 5 to 0.

Discuss Possible Purchase of Land. *Possible Closed Session, as Permitted by §21.5(j) Code of Iowa*. Hale moved to go into closed session to discuss the possible purchase of real estate, as allowed by Section 21.5(j) of the Code of Iowa at 9:14 p.m., second by Mehmen. Motion carried – 5 to 0. Mayor Miller declared the meeting in closed session at 9:14 p.m.

Hale moved to end closed session and resume in regular open session at 9:55 p.m., second by Mehmen. Motion carried – 5 to 0. Mayor Miller declared the meeting in regular open session at 9:55 p.m.

Discuss Employee Matters and Planning. Aaron Anderson, City Clerk/Administrator, submitted his resignation to the Mayor and City Council, with Friday August 16, 2016 his final day with the City of Ely. Mr. Anderson stated he appreciated the opportunity to serve Ely, and the support and friendliness of the community. Mayor and City Council members discussed the matter, including process to fill the vacancy, the transition period before a new City Administrator is in place, and possible consideration of an interim Administrator. The Clerk/Administrator was directed to contact Pat Callahan of Callahan Municipal Consultants for

a proposal to provide consulting services to conduct a City Administrator search process; and to work with Mayor and City Council to schedule a special meeting the week of August 15, 2016 regarding City Administrator hiring and transition.

Discussion Items

Hale moved to adjourn, second by Rohner; motion carried – 4 to 0. The meeting adjourned at 9:40 p.m.

Eldrew Miller, Mayor

Attest:

Aaron Anderson, Clerk/Administrator