

**ELY CITY COUNCIL
REGULAR MEETING
AUGUST 11, 2014
ELY CITY COUNCIL CHAMBERS**

Mayor Jim Doyle called the meeting to order at 7:00 p.m. Council members present: Stephanie Mehmen, Bill Grove, Kay Hale, Dave Rasmussen and Bob Ballantyne. Also present: Jim Miller, Eric Wirth, Tom Rohner, Elizabeth Rohner, Butch Wieneke, Annette Wieneke, Sarah Sellon, Terry Smith, Scott Pottorff, City Engineer Scott Pottorff and Clerk-Administrator Aaron Anderson.

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

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

- Agenda, as presented
- Minutes of the July 14, 2014 regular meeting.
- Minutes of the July 23, 2014 special meeting
- Treasurers Report for the period ended July 31, 2014.
- Bills Payable for August 2014 totaling \$74,772.63.

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended July 31, 2014

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 8,090.64	\$ 65,092.50		\$ 712,901.71
Road Use	13,702.48	9,036.38		12,325.30
L O S T	17,813.00			160,047.78
TIF Fund	265.07			60,325.16
Debt Service				8,037.95
Other Projects	11,000.00	34,852.86		112,140.93
Library Project				-64.23
Way Point Sign		5457.60		-25,052.89
North End Infra				-28,589.93
Water Utility	22,048.49	17,712.06		301,811.30
Water/Sewer Reserve	5,216.10			120,913.10
Sewer Utility	27,852.44	26,030.82		46,825.73
Sewer Debt Service	11,767.92			29,932.84
Sanitary Utility	6,313.72	7,109.88		33,026.45
Storm Water	23.25			274.80
Farmers Market				1,030.76
PR Clearing	13,269.70	18,690.52		1,106.37
Totals	\$ 137,362.90	\$ 213,390.62		\$1,547,020.13

Communications. Mayor Doyle reported two communications received regarding noise level of the Ely Firefighters event. Mayor and City Council discussed, including a request for the Fire Department to have deputies or security at the event next year. Bill Grove noted Public Works Director Ron Stark’s very good response to a water connection break for the St John Lutheran church addition on a Friday night. Library Director Sarah Sellon presented a report on activities

at the Ely Public Library. A Linn County deputy distributed the monthly Sheriff's Office Activity Report.

Citizen Requests. Jim Miller thanked everyone who attended the Ely Firefighters "Party in Our Back Yard" Saturday August 9, 2014.

Fall Fest – September 26 & 27, 2014.

Authorize Temporary Closing of Dows Street from Walker St. to Main St. for Fall Fest Street Dance, 3:30 p.m. September 27 through 1:00 a.m. September 28, 2014. Mehmen moved to authorize the temporary closing of Dows Street from Walker St. to Main St. from 3:30 p.m. Saturday September 27 through 1:00 a.m. Sunday September 28, 2014 for the Fall Fest Street Dance; second by Rasmussen. Motion carried – 5 to 0.

Request for Temporary Outdoor Alcohol Service Area for Fall Fest Street Dance – Odie's Class C Liquor Permit, 1650 Dows Street. Mehmen moved to approve a Temporary Outdoor Alcohol Service Area for Odie's, 1650 Dows Street, for Saturday September 27 through September 28, 2014 for the Fall Fest Street Dance; second by Rasmussen. Motion carried – 5 to 0

Request for Temporary Class B Beer Permit with Outdoor Sales for Fall Fest "Party At Our Park" and Fall Fest Car Show September 26 & 27, 2014. Mehmen moved to authorize the City of Ely application for a temporary 5-day Class B Beer permit with outdoor sales privileges for Ely City Park at 1635 Hillcrest St. Friday September 26, and for the Ely Fire Station Saturday September 27; and to approve said applications; second by Rasmussen. Motion carried – 5 to 0.

Authorize Fireworks Purchase and Approve Permit for Fireworks Display. Mehmen moved to authorize an agreement with J&M Displays to provide and display fireworks Saturday September 26, 2014 for Fall Fest at a cost of \$4,500, and authorize a permit for said fireworks display; second by Rasmussen. Motion carried – 5 to 0.

Authorize Temporary Street Closings for Fall Fest, September 26 & 27, 2014. Mehmen moved to authorize the following temporary street closings:

Rowley Street: from State Street to Main Street on Saturday September 27 from 5:00 a.m. through 5:00 p.m.

Walker Street: from Rowley Street to north edge of 1445 Walker St on Saturday September 27 from 5:00 a.m. through 5:00 p.m.

Main Street/Banner Valley Rd: from south side of Dows to Pacific Street on Saturday September 27 from 5:00 a.m. through 5:00 p.m.

Rasmussen seconded the motion. Motion carried – 5 to 0.

Request to Close a Portion of Dows Street and for Outdoor Service Area on August 23, 2014 – Odies, 1650 Dows St. Tom Rohner, owner of Odie's at 1650 Dows Street, reported Odie's is a destination for two motorcycle poker runs on Saturday August 23. The first arriving around 10:00 a.m. and associated with the North Liberty Fire Department. The second in conjunction with "For Your Life" suicide prevention and expected in Ely from 1:00 to 5:00 p.m.

Mr. Rohner asked for authorization to close Dows Street from the west side of the intersection with Main Street and the alley between Walker and Main Street from 1:00 to 5:00 p.m. to non-event traffic on Saturday August 23, 2014; and to approve a temporary outdoor alcohol service area for the same location. Ballantyne moved to authorize closing Dows Street from the west side of Main Street to the alley between Main and Walker Streets from 1:00 p.m. to 5:00 p.m. Saturday August 23, 2014, subject to Odie's providing signs or banners advising the area is closed to non-event traffic; second by Grove. Motion carried – 5 to 0.

Commercial Building Forgivable Loan Program.

Resolution No. 14-0714-37, Approving Request for Forgivable Loan for Improvements at 1675 & 1685 Dows Street. City Administrator reported the applicant was aware of the process set out in the program, and they proceeded with work to avoid further interior damage; and chose to accept the higher bid because of familiarity with the firm. Mayor and City Council discussed the matter; a motion to approve the resolution was not offered.

Ely City Park Improvements Project.

Outcome of Value Engineering and Recommendation of Parks Commission. Eric Wirth, Solum-Lang Architects, reported recommendations on value engineering for the City Park Improvements project from the Parks Commission that would decrease the contract cost by ; the recommendations include fewer exterior lights, HDPE toilet partitions instead of concrete block, not relocating a fire hydrant, installing wall mounted restroom fixtures, and using PVC instead of cast iron pipes. Mr. Wirth reported the recommended changes will decrease the cost of contract by \$7,850.00. City Council discussed the recommendations with Mr. Wirth.

Partial Payment No. 1 – Seydel Construction. Ballantyne moved to approve Partial Payment No. 1 to Seydel Construction for the amount of \$6,467.60 for the Ely City Park Improvement project, second by Mehmen. Motion carried – 5 to 0.

Downtown Main Street Parking Lot Project

Project Status Report. City Engineer Scott Pottorff reported on project status. He reported storm sewer was installed on the east side of Main Street due to originally unrecognized conflicts with water and natural gas utilities; that storm sewer is installed and almost all concrete poured. Sealcoat of the alley, installation of street lights and restoration have yet to be finished.

Construction Progress Payment No. 1 – Metro Pavers, Inc. Ballantyne moved to approve Construction Progress Payment No. 1 from Metro Pavers, Inc. in the amount of \$69,478.82, second by Hale. Motion carried – 5 to 0.

Linn County Highway Department Ely Road White Topping Project

Project Update. Clerk/Administrator Anderson reported the Linn County Highway Department is working on design and plans for ditches and culverts related to their plan to “white-top” Ely Road. He reported there are two shared jurisdiction culverts in the project area, a box culvert immediately south of Rock Island Drive and one at the very south end of Ely. He reported Linn County expects to perform ditch and culvert work in early 2015, with white topping either later in 2015 or in 2016. Mayor and City Council discussed the

proposed work and directed Mr. Anderson to work with Linn County on this matter, and for the City Engineer to review the design calculations of both culverts, and the adequacy of design capacity per city expectations.

Resolution No. 14-0811-44, Approving 28E Agreement with Linn County. Clerk/Administrator Anderson reported this resolution documents that Ely will participate on ditch and culvert work related to the Ely Road White Topping project with Linn County. Grove moved to approve Resolution No. 14-0811-44, Approving 28E Agreement with Linn County, second by Hale.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen

Nay: None

Absent: None

Mayor Doyle declared the motion passed and resolution adopted – 5 to 0.

Hoover Trail Extension from Ely City Park to Community Center at 1570 Rowley St.

Discussion of Possible Alignments and Report by City Engineer. Scott Pottorff, City Engineer, reported recommendation that the Hoover Trail extension be located on the east side of Main Street, noting that conflicts at the Post Office are a greater risk and conflict than Krob's Elevator traffic. Mr. Pottorff also recommended the trail run down the south side of Rowley Street close to the street surface to avoid utilities and existing mature trees. Mr. Pottorff stated preliminary plans will be sent to IDOT on schedule for January bid letting.

Banner Valley Road/Banner Valley Creek.

Engineer's Report re: Project to Re-Grade a Segment of Banner Valley Road. City Engineer Scott Pottorff presented a proposal to re-grade Banner Valley Road so that the low point in the road is further to the west, past Rock Island Drive, to make sure storm water overtops Banner Valley Road at the location of the two 72" diameter culverts between Glendale and Rock Island. Butch Wieneke asked if moving the low spot in the road as suggested would end up in causing storm water to reach higher elevation before over topping the road. Mr. Pottorff discussed this with the Mayor and City Council, noting that Mr. Wieneke was correct.

Accept Quote to Perform Grading and Street Surfacing on Banner Valley Road. City Council took no action to accept the quote, per City Engineer recommendation.

Sanitary Sewer Improvements – Kunkel Addition.

Schedule Public Hearing re: Plans, Specifications and Form of Contract. Ballantyne moved to schedule a public hearing re: plans, specifications and form of contract for the Sanitary Sewer Improvements – Kunkel Addition for 7:00 p.m. September 8, 2014; second by Hale. Motion carried – 5 to 0.

Urban Renewal/Tax Increment Financing

Public Hearing on the Ely Urban Renewal Area. Ballantyne moved to open a public hearing on the Ely Urban Renewal Area at 8:22 p.m.; second by Hale. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 8:22 p.m. The Clerk-Administrator reported notice was published and posted as required by law, and no comments or objections

received. Jim Miller asked where the addition to the urban renewal area would be. City Clerk/Administrator Anderson replied it will add the Kunkel Addition, and allow TIF funds to be used for the Downtown Main Street Parking Lot project, Kunkel Addition Sanitary Sewer Trunk project, and Kunkel Addition Utility Over-Size project. Hale moved to close the public hearing at 8:24 p.m.; second by Grove. Motion carried – 5 to 0. Mayor Doyle declared the hearing closed and meeting in regular session at 8:24 p.m.

Resolution No. 14-0811-45, Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Ely Urban Renewal Area. Ballantyne moved to approve Resolution No. 14-0811-45, Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Ely Urban Renewal Area; second by Hale.

Aye: Ballantyne, Rasmussen, Hale, Grove, Mehmen

Nay: None

Absent: None

Mayor Doyle declared the motion passed and resolution adopted – 5 to 0.

Administrative, Personnel and Staffing

Janitorial at City Hall/Community Center. Clerk-Administrator Anderson reported Bonnie Slezak resigned custodian position for City Hall/Community Center. Mr. Anderson discussed possibly contracting for the work, City Council noted available budget. Ballantyne moved to authorize the Clerk-Administrator to initiate a hiring process for this position and report to City Council; second by Hale. Motion carried – 5 to 0.

Discuss Possible Purchase of Land – Possible Closed Session. At 8:28 p.m. Grove moved for the meeting to go into closed session to discuss the possible purchase of land as permitted by §21.5(j) Code of Iowa because premature disclosure can reasonably be expected to increase the price the city would have to pay for the property; second by Hale. Motion carried – 5 to 0. Mayor Doyle declared the meeting in closed session at 8:28 p.m.

Hale moved for the meeting to return to open session at 8:38 p.m.; second by Mehmen. Motion carried – 5 to 0. Mayor Doyle declared the meeting in regular open session at 8:38 p.m.

Discussion Items

Grove moved to adjourn, second by Hale; motion carried – 5 to 0. The meeting adjourned at 8:40 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator