

**ELY CITY COUNCIL  
REGULAR MEETING  
AUGUST 13, 2012  
ELY CITY COUNCIL CHAMBERS**

Mayor Jim Doyle called the meeting to order at 7:00 p.m. Council members present: Dale Stanek, Kay Hale, Bill Grove, Dave Rasmussen and Bob Ballantyne. Also present: Jim Miller, Cullen Woods, Diane Karlan, Kim Kuntz, Jerry Kuntz, Don Scott, Keith Schulte, 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 Ballantyne, moved to approve the Consent Agenda consisting of:

- Agenda
- Minutes of the July 9, 2012 regular City Council meeting.
- Treasurers Report for the period ended July 31, 2012.
- Bills Payable for August 2012 totaling \$130,888.45
- Renewal of Appointment to Planning and Zoning Commission for Eldrew (Eldy) Miller and Dean Billick through June 30, 2017.
- Renewal of Appointment to Parks Commission for Dave Schrock and Mark Harapat through June 30, 2014.
- Chris Levi's resignation from Parks Commission; with regret and appreciation for his service and dedication to Ely.

Motion carried – 5 to 0.

Treasurer's Report (summary) for the period ended July 31, 2012

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 8,138.59	\$ 45,914.70		\$ 564,147.59
Road Use	12,424.71	7,592.73		49,290.53
L O S T	14,629.42			133,218.98
TIF Fund	1,598.29			116,389.95
Debt Service				8,271.87
Other Projects		1,295.00		105,940.26
Library Project		757.00		-461.23
Way Point Sign				-14,405.79
North End Infra				-28,589.93
Water Utility	24,672.85	13,187.85		312,412.33
Water/Sewer Reserve				50,130.59
Sewer Utility	29,273.95	9,131.06		88,891.14
Sewer Debt Service				-123,507.02
Sanitary Utility	5,584.79	5,764.92		41,856.08
Farmers Market	160.00			965.01
PR Clearing	10,125.10	14,585.48		1,953.09
Totals	\$ 106,607.70	\$ 98,228.74		\$ 1,306,104.35

**Communications.**

**Citizen Requests.** Jerry Kunz asked what the City is doing in regard to nuisance conditions and chickens being raised at 1608 Fuhrmeister St. Mr. Kunz stated the homeowner of that property has piles of mulch/wood chips and compost that have been in place for at least six months; and that they are raising chickens including a rooster that is extremely loud. Mayor Doyle reported City Administrator notified the owners that chickens may not be raised in a residentially zoned area, and that they must clean up the piles of compost and wood chips by August 30, 2012.

Bob Ballantyne stated Pat and Cindy Nulty report the curb in front of their house at 1760 Rock Island is crumbled. City Administrator Anderson reported Public Works will investigate and repair.

### **Fall Fest 2012**

**Resolution No. 12-0813-32, Approving Contract for Fireworks Display, and Authorizing Permit for said Display.** Mayor Doyle reported this resolution accepts an agreement with J&M Displays of Yarmouth, Iowa, for them to conduct a fireworks display for Fall Fest on October 6, 2012, at cost of \$3,000.00; an agreement that Ely will only purchase display fireworks through J&M Displays through 2015 in exchange for additional fireworks at no cost, and authorizes a fireworks display permit to be issued. Ballantyne moved to approve Resolution No. 12-0813-32; second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

**Authorize Street Closings and Temporary No-Parking Areas for Fall Fest, October 6, 2012.** Ballantyne moved to approve the following temporary street closings and no-parking areas for Fall Fest on October 6, 2012, per Parks Commission request:

- Rowley Street: Street closed from State Street to Main Street 5:00 a.m. through 9:00 p.m.
- Walker Street: Street closed from Dows to Rowley 5:00 a.m. to 11:30 a.m.
- Walker Street: Street closed from Rowley Street to north edge of 1445 Walker St from 11:30 a.m. through 8:00 p.m.
- Main Street: Closed from east side of Dows (by Post Office) to Pacific Street from 5:00 a.m. through 8:00 p.m.

Grove seconded the motion; motion passed – 5 to 0.

### **2012 Extension of Utilities to Ely City Park Project**

#### **Public Hearing re: Plans, Specifications, Form of Contract and Estimate of Cost.**

Ballantyne moved to open a public hearing regarding plans, specifications, form of contract and engineer's estimate of cost for the 2012 Extension of Utilities to Ely City Park Project at 7:18 p.m.; second by Grove. Motion carried – 5 to 0. Mayor Doyle declared the hearing open at 7:18 p.m.

Mayor Doyle reported the project is extension of water and sanitary sewer within Ely City Park for service to support current activities and future facilities like a lodge facility. He reported Alliant Energy is installing electric service to the park under separate agreement,

and that natural gas service will only be installed when there is a foundation of building to serve.

Keith Schulte stated he is concerned regarding drainage in the area of Northgate 4<sup>th</sup> Addition due to changes in surface water movement resulting from how the trail was installed. He stated the direction and flow of surface water was altered by the how the trail was built, and does not flow to the control structures installed for Northgate 4<sup>th</sup> Addition. Mr. Schulte stated they accounted for water from this area with the storm water control for Northgate 4<sup>th</sup>, and it does not get there now. City Engineer Scott Pottorff stated he will walk the area to investigate and report back. Mr. Schulte reported the elevation of the trail bed dropped for a roughly 150 foot run. Clerk-Administrator reported the notice of hearing was published and posted per state and City code, and no comments received verbally or in writing.

Stanek moved to close the public hearing at 7:28 p.m.; second by Ballantyne. Motion carried – 5 to 0. Mayor Doyle declared the hearing closed and meeting in regular session at 7:28 p.m.

**Authorize Soliciting Bids for 2012 Project to Extend Utilities in Ely City Park.** Ballantyne moved to authorize the City Engineer to solicit sealed bids for the 2012 Project to Extend Utilities in Ely City Park project, said bids to be due Thursday August 30, 2012; second by Grove. Motion carried – 5 to 0.

**Authorize Soliciting Competitive Quotes for Restoration/Re-Seeding.** Stanek moved to authorize soliciting competitive quotes to restore and re-seed the area affected by the park utilities extension projects, quotes due August 30, 2012; second by Ballantyne. Motion carried – 5 to 0.

**Request to Conduct a Beginner’s Cooking Class at Community Center – Diane Karlan.**

Diane Karlan discussed her interest in holding classes regarding cooking and other meal preparation topics for beginning cooks of all ages at the Ely Community Center. She reported she has been giving personal classes to kids in her neighborhood on cooking, setting table and similar topics, that the demand and interest in her lessons is increasing to the point that she needs more space to accommodate the interest. Ms Karlan stated she would not charge a fee for the classes, and would ask participants for donations to pay for ingredients. The City Council discussed this request with Ms Karlan, including whether to include this under the city’s umbrella of activities, use of the community center kitchen and other topics.

Stanek moved to authorize Diane Karlan to use the Community Center kitchen for no-charge to conduct cooking classes as long as she does not charge a fee to participate in the classes and to Ms Karlan being subject to the same terms as any other user of the facility; second by Hale. Motion carried – 5 to 0.

**Water Tower Improvements Project**

**Discuss Disposition of Site of “Old” Water Tower at 1671 Knoll Court.** Mayor and City Council discussed whether Ely should retain the lot at 1671 Knoll Court after the “old” water tower is demolished; and options for disposing of it if it is not retained. Items discussed include: potential city uses for the lot; whether it is a valid build-able lot per the zoning ordinance, possible interest from adjacent property owners in acquiring all or a portion of it,

and costs to prepare survey and transfer documents. Ballantyne moved to proceed to solicit sealed bids for the entire lot at 1671 Knoll Court with a minimum bid of \$2,500, the lot to be sold “As Is”, with concrete pads in place and the buyer to pay for preparation or update of a title abstract; second by Hale. Motion carried – 5 to 0.

**Discuss General Plans for Demolition of the Old Water Tower and Tank at 1671 Knoll Court and Related Water System Improvements.** City Engineer Scott Pottorff summarized excavation, pipe removal and installation work and general demolition options related to demolition and removal of the “old” water tower at 1671 Knoll Court. Mr. Pottorff reported he expects to bid the project in two contracts; one for demolition of the structure and the other for the excavation and pipe work.

**Schedule Public Hearing re: Plans, Specifications and Form of Contract.** Stanek moved to schedule a public hearing regarding plans, specifications, form of contract and engineers estimate of cost for a project to demolish the “old” water tower at 1671 Knoll Court, and perform related excavation and pipe work at 7:00 p.m. September 10, 2012; second by Grove. Motion carried – 5 to 0.

#### **Sanitary Sewer Use Rate.**

**Schedule Public Hearing re: Ordinance to Revise Sanitary Sewer Use Rate.** City Administrator reported the cost savings and repayment options related to refinancing the IFA WWTP and Rogers Creek notes, including using TIF proceeds for full payment of the \$750,000 note; and the interest rate savings related to the refinance. Stanek moved to schedule a public hearing regarding an ordinance to increase the sanitary sewer use fee \$1.00 per connection per month for 7:00 p.m. September 10, 2012; second by Ballantyne. Motion carried – 5 to 0.

#### **2012 Emergency Outdoor Alert Siren Project**

**Review Quotes Received to Provide and Install Two Outdoor Emergency Alert Sirens.** City Administrator Anderson reported a Request for Competitive Quotes (RFQ) was released July 13, 2012 to provide and install two new, additional, outdoor emergency alert sirens; that the RFQ was mailed to five vendors, and notice of the RFQ published. Mr. Anderson reported Ely received a quote from only Frontline Plus Fire & Rescue, of Monticello, Minnesota.

- “Option A” A Whelen Vortex R3 rotating siren, battery powered with seven standard warning tones, and solar panels. This unit is not “voice capable” and cannot be adapted to broadcast spoken messages. Unit may be activated by Linn County EMA/Dispatch or locally by the Ely VFD. Total quote to provide and install is \$43,750.00; alternate for Intrusion alarm adds \$140/unit, or \$280 total
- “Option B” A Whelen WPS4000-3 rotating siren, battery powered with seven standard warning tones, and solar panels. Unit is “voice capable” with the ability to broadcast programmed spoken messages along with the alert tones. Unit may be activated by Linn County EMA/Dispatch or locally by the Ely VFD. Total price to provide and install the units described is \$51,820.00; alternate for intrusion alarm adds \$140/unit, or \$280 total.

Mr. Anderson noted that Ely's grant through FEMA/Iowa HSEMD will require HSEMD to concur with accepting a quote since only one was received.

**Resolution No. 12-0813-33, Accepting Quote/Proposal to Provide and Install Two Emergency Outdoor Alert Sirens.** Ballantyne moved to approve Resolution No. 12-0813-33 and accept "Option B" as described above; subject to HSEMD concurrence; second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

**Discuss Locations for Two New Additional Outdoor Alert Sirens.** Mayor and City Council discussed possible locations for the two new alert sirens; with general consensus for one to be along the Hoover Trail at the north corner of Ely City Park, and the other generally at the southwest corner of the Southbrook Subdivision. City Council directed the City Administrator to work with the selected vendor for final location.

**Dangerous Building at 1290 Banner Valley Road.** City Administrator Anderson reported the owners of a collapsed barn at 1290 Banner Valley Road were notified in writing that the building needs to be fully demolished or otherwise made safe and that the City Council will initiate formal process to remedy the situation if the owners fail to comply.

#### **Planning & Zoning Commission**

**Schedule Public Hearing re: Ordinance to Create C-1a Downtown Commercial Zoning District.** Stanek moved to schedule a public hearing regarding an ordinance to create a "C-1a Downtown Commercial" zoning district, per the recommendation of the Planning and Zoning Commission, for 7:00 p.m. September 10, 2012; second by Hale. Motion carried – 5 to 0.

**Moratorium on Permits for Construction of all Permanent Signs.** City Administrator Anderson reported the Planning and Zoning Commission recommend a six month moratorium on review and issuance of new permit applications for new permanent signs to allow them time to review and recommend any needed changes to Ely's sign regulations. Hale moved to enact a six month moratorium on review and issuance of new permit applications for all new permanent signs to allow the Planning and Zoning Commission time to review existing regulations and recommend changes if appropriate; second by Grove. Motion carried – 5 to 0.

Hale moved to adjourn, second by Grove; motion carried – 5 to 0. The meeting adjourned at 8:36 p.m.

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James E. Doyle Jr., Mayor

Attest: \_\_\_\_\_  
Aaron Anderson, Clerk/Administrator