

Council Proceedings August 14, 2017

The Ely City Council met in regular session on 8/14/17 in Council Chambers. Officials present were Council Members Teri Billick, Kay Hale, Stephanie Mehmen, Elizabeth Rohner and Judy Wery. Several residents were also in attendance. Mayor Eldy Miller called the meeting to order at 7:00 pm and opened with the Pledge of Allegiance.

Council member Hale moved, second by Billick, to approve the following consent items: 08/14/17 Agenda as presented; Minutes from the 07/10/2017 council meeting; July 2017 financial reports; Payment of claims totaling \$212,015.47. Ayes – 5.

The following claims include expenses for the City, Park Board, and Library:

Advanced, Copy Charges	95.30	Luanne Miller, reimburse	1,375.22
Allegra, newsletter	219.87	Lynch Ford, F250 pick up	27,420.00
Alliant Energy, Utilities	14,350.39	Menards, supply	49.22
Amazon, Library Books & Media	156.11	Michael Todd, blades	259.46
Audio Experts, TV in chambers	2,264.99	Micro Marketing, audio books	361.30
Baker & Taylor, library expense	923.23	Mid-American Energy, Utilities	86.71
Canon Financial, copier Lease	109.00	MMS, engineering	32,829.23
Cardmember Services, CC	1,510.37	Neal's Water Condition, service	19.50
Casey's, Fuel	371.73	Office Express, Office Supplies	381.45
Cengage Learning, library resource	351.47	Outdoor Creations, lawn care	610.00
Cleppe's, tire repair	5.00	Overdrive, library	471.65
Company Store, league	178.25	Postmaster, postage	248.54
Connor Fisher, mileage	61.53	Principal Financial, life insurance	58.08
DATA Tech, install & support	447.50	Dan Dyson, youth baseball	772.66
Denise Hoy, reimburse	1,807.06	Linn County REC, electrical	252.18
Eastern Iowa Carpet, cleaning	172.45	Republic Services, shredding	55.95
Eastern IA Excavate, final pay	9,280.30	Rexco, maintenance	531.33
EFTPS, fed/fica tax	10,231.93	Roto-Rooter, service	2,617.50
Ely Fire Dept., half allocations	21,526.50	Sam's Club, concessions	208.70
Fastenal, PW supply	12.72	Sarah Sellon, reimbursement	153.12
Follet, barcodes	268.90	Sherwin-Williams, paint	59.88
Fortress Grand, software	232.50	Simmons Perrine, attorney	3,124.00
Gazette, Publications	271.94	Solon Economist, newsletter	162.00
Grainger, PW supply	73.42	Solon State Bank, library expense	246.43
H& H Fun Rides, fall fest	2,575.00	South Slope, phone/internet	574.63
IA Dept. Insp & Appeal, fall fest	15.00	State Hygienic Lab, lab	1,943.00
IA DNR, annual fees	210.00	State Library, subscription	190.79
Innovative Signs, decals	200.00	Sweet Auto, repairs F150	653.55
Iowa Express, delivery	200.00	Terminex, pest control	35.00
Iowa One Call, locates	141.30	The Jymbag, employee clothing	331.00
IA Workforce Dev, unemployment	4,086.00	Theisens, supplies	250.59
IPERS, contributions	5,486.47	Tire Associates, tires	325.82
J&M Supply, fall fest	4,850.00	To the Letter, typeset	50.00
Joyals Tree Service, tree removal	250.00	Tracy Clair, reimbursement	37.26
Kiracofe Oil, diesel	1,014.50	Tractor Supply Co, Supplies	156.29
KM Tree Service3, tree removal	5,991.00	UPS, Shipping	12.48
Krominga Motors, repairs	440.18	Verizon Wireless, Cell Service	151.19
Lederer Weston Craig, legal	491.54	VSP, vision ins	167.88
Lee's Ag, mower repair	392.60	Waste Management, services	11,269.37
Letter Perfect, name plates	29.58	Wellmark, insurance	3,173.21
Linn County Extension, program	111.00	Wende Ealy, reimbursement	97.74
Linn County Health, food permit	33.50	Payroll, 07/11 to 08/14, 2017	28,342.80
Linn County, Inspection Fees	458.63	Total Bills	\$212,015.47

July 2017 expenses per fund: General \$71,449; Road Use Tax \$54,830; Employee Benefits \$13,027; LOST \$79,194; Knoll Court \$9,280; Water \$31,020; Water Sinking \$119,179; Sewer \$14,003; Storm Sewer \$713. Total \$392,695.

July 2017 receipts per fund: General \$30,639; RUT \$23,009; LOST \$18,200; TIF \$1,213; Debt Service \$119,179; Capital Projects \$79,194; Water \$26,566; Sewer \$33,650; Storm Water Management \$152. Total \$331,802.

Correspondence: Council received minutes from the 7/19/2017 Planning and Zoning Meeting & a resolution recommending consideration of a Rural Residential Zoning District; Park & Recreation Board minutes from 07/11/2017. Council approved a beer permit and fireworks permit for Fall Fest 10/14/2017; Linn County Sheriff Office report dated 7/17 to 8/14/2017; Library minutes & monthly report presented by Dan Whitaker; Public Works report was inadvertently left out of the packet.

Citizen Requests: City Administrator Hoy relayed concerns from Vern Yorbrough about the narrowing of the creek by the bridge on South Main. Public Works Director informed council he has been in contact with the DNR to see what option there are for widening the creek but said it would likely take 3 months before we hear from them.

Business: Council member Mehmen moved, second by Wery, to approve the annual liquor license submitted by Odies. Ayes- 4. - Rohner recused herself from voting.

Scott Pottorff, MMS, informed council that two bids were received on the Main Street Sewer Extension Project. After discussion Council member Hale moved, second by Rohner, to adopt **Resolution 2017-08.023** accepting a bid submitted by Cornerstone Excavating, 1320 W Main Street, Washington, Iowa for the base bid of \$66,363.85 and the alternate bid of \$8,018.50. Estimated completion date is October 6. Project will be financed by borrowing from the General Fund with payback from the Sewer Fund. Ayes- Rohner, Wery, Hale, Mehmen, Billick.

Scott Pottorff also presented a Preliminary Design Report for installation of water and sewer services to the north end of Ely to service potential future land development. He highlighted potential uses and land areas that either are in city limits or could potentially be annexed. Both the water and sewer extensions could be done in phases. Total costs projections are: water \$1,170,00 and sewer \$1,716,000. Council thanked Scott for his work on this study.

Pottorff updated council on mapping of existing water and sewer lines in Ely. He projects the mapping will be complete for the September 17 council meeting.

Council member Mehmen moved, second by Wery, to adopt **Resolution 2017-08-.019** a Storm Water and Ditch Management Temporary Maintenance Agreement between the City of Ely, Iowa and Buresh Estate Third Addition. Ayes- Rohner, Wery, Hale, Mehmen, Billick.

Council member Mehmen moved, second by Rohner, to adopt **Resolution 2017-08.020** Release from Bank Performance Agreement dated November 9, 2016 with Buresh Estates. Ayes - Rohner, Wery, Hale, Mehmen, Billick.

Council member Rohner moved, second by Mehmen, to adopt **Resolution 2017-08.021** entering into a Storm Water Management Easement Temporary Maintenance agreement between the City of Ely, Iowa and SK Development LC. Ayes - Rohner, Wery, Hale, Mehmen, Billick.

Council reviewed a letter dated 8/10/2017 from MMS concerning public improvements for Deer Valley 3rd Addition. Council member Mehmen moved, second by Rohner, to adopt **Resolution 2017-08.022** Approving Final Plat of Deer Valley Third Addition to the City of Ely, Linn County, Iowa and Public Improvements Therein. The motion also instructed the City Admin not to file the resolution with the County until all bound documents were received and the final punch list item concerning erosion control could be provided. Ayes - Rohner, Wery, Hale, Mehmen, Billick.

Council reviewed the recommendation to adopt the Rural Residential District submitted by the Planning and Zoning Commission. After consideration Council member Hale moved, second by Billick, to accept the first reading of **Ordinance No. 259 Amending Title VI Physical Environment, Chapter 13 Zoning Code, By Establishing a New District Titled Rural Residential.** Ayes – Rohner, Wery, Hale, Billick. Nay – Mehmen. Wery moved to waive the 2nd and 3rd readings of Ordinance No. 259, but hearing no second the motion failed. The second reading will be placed on the September meeting agenda.

Council reviewed an ordinance allowing for outside water metering credits. After discussion, Council member Mehmen moved, second by Hale, to accept the first reading of **Ordinance No. 260 Amending Title VI Physical Environment, Chapter 3 Utilities**. Ayes - Rohner, Wery, Hale, Mehmen, Billick. Council member Mehmen moved, Billick seconded, to waive the 2nd and 3rd reading of Ordinance 260. Ayes - Rohner, Wery, Hale, Mehmen, Billick. Council member Hale moved to adopt **Ordinance No. 260 Amending Title VI Physical Environment, Chapter 3 Utilities** and cause said ordinance to be published. Ayes - Rohner, Wery, Hale, Mehmen, Billick.

The Street Committee recommended that a ditch be cut in front of 1845 State Street to control water run off onto other properties. PW Director Stark will line up the work with a contractor.

Council reviewed recommendation from the Street Committee to consider one side parking on the following streets: Northgate, Wrigley, Cominsky, Glendale from Banner Valley to Southbrook Drive. Council will also consider making Dows Street from Walker to Main a no parking zone from 3 AM to 7 AM from Dec 1 to April 1. These items will be placed on the September agenda for consideration.

Council also discussed a request for no parking on Highland from North Drive to Knoll Court on the North Side of Street. They determined that there was already no parking on the South side of Highland and will make sure that proper signage is put up. They also instructed Staff to develop a plan to paint curbs at intersections to indicate no parking the appropriate feet from the intersection.

Council instructed the City Administrator to begin enforcing with consistency the Junk Vehicle and Nuisance Ordinances under City Code Title III Community Protection.

Setting a public hearing on the re-zoning of Buresh Estate Third Addition was tabled until the Rural Residential Ordinance is further considered.

City Administrator informed council that RFP's for the city's required annual examination was sent out to 12 firms and 3 quotes were received back. Council member Wery moved, second by Hale, to enter into an agreement with Dennis Donovan PC, Charles City, Iowa for annual examinations services for FY2017, FY2018 & FY2019. Ayes – 5.

Council members heard presentations from 3 candidates applying for the vacant council seat created by the resignation of Stephanie Mehmen effective 08/14/2017. Josh Entler, 1895 Highland Road, Sam Kramer, 1435 Parkland Drive, and Dan Whitaker, 1088 Southbrook Ct, introduced themselves and answered two questions. Council then proceeded to cast secret ballots. The first ballots determined a tie Kramer -1; Entler – 2; Whitaker – 2. Council then cast a second secret ballot between Entler and Whitaker. Mayor Eldy announced that Whitaker was the highest vote getter and stands appointed to fill the vacant term until the November 7 election. The oath of office was administered to Dan Whitaker by the City Administrator.

Mayor Miller appointed Elizabeth Rohner as Mayor pro-tempore.

With no further business evident, council member Mehmen moved to adjourn at 9:28 PM.

Eldrew Miller, Mayor

Denise L. Hoy, Clerk/Administrator