

**ELY CITY COUNCIL
REGULAR MEETING
SEPTEMBER 9, 2013
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, Dave Rasmussen and Bob Ballantyne. Also present: Pat Nulty, Wally Ingersoll, Connie Kunkel, Duane Kunkel, Katie Jo Bruhn, Chuck Ruth, Gary Brown, Dan Schmidt, Terry Smith, Josh Baker, Jody Rudd, Tom Rudd, Jesse Heft, Alan Wery, Judy Wery, Randy Koskovich, Karen Koskovich, 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 Grove, moved to approve the Consent Agenda consisting of:

- Agenda,
- Minutes of the August 12, 2013 regular City Council meeting
- Minutes of the August 26, 2013 special City Council meeting
- Bills Payable for September 2013 totaling \$76,228.88

Motion carried – 5 to 0.

Communications. Deputy Grote of the Linn County Sheriff's Office presented the Sheriff's Office Monthly Activity Report.

Citizen Requests. Katie Jo Bruhn asked if work on the ditch on the north side of Banner Valley Road is done; Clerk/Administrator Anderson reported it is and that Linn County did it as routine maintenance. Ms Bruhn stated Ely needs a stronger storm water ordinance. City Council and Mr. Anderson discussed Ely's existing ordinance and that the city is working on more extensive ordinance and options.

Jim Miller stated new signs are needed for the street by the WWTP and Public Works shop.

Fall Fest – September 28, 2013

Temporary Class B Beer Permit with Outdoor Sales for Fall Fest Classic Car Show.

Rasmussen moved to authorize the City to apply for and to approve a temporary five-day Class B Beer permit with outdoor sales privileges to be in effect Saturday September 28, 2013 for the Fall Fest Classic Car Show, second by Stanek. Motion carried – 5 to 0.

Authorize Detour Route while Segment of Dows Street is Closed.

Stanek moved to authorize a signed detour for the closed segment of Dows Street using Walker Street, Traer Street and Main Street; beginning at 1:00 p.m. Saturday September 28, 2013 and ending by 1:00 a.m. Sunday September 29, 2013; second by Hale. Motion carried – 5 to 0.

Kunkel Addition, Request for Annexation, Zoning and Subdivision – Duane Kunkel

Discuss Sanitary Sewer Service to Property, and Possible Connection to Sanitary Sewer at Northwest Corner of Parcel. Dan Schmidt, consulting engineer for Duane Kunkel,

reported Mr. Kunkel seeks to proceed toward approval of the Kunkel Addition, which would have 92 residential lots, of which 83 would be R-1 single family residential and 9 would be R-2 multi-family residential. Mr. Schmidt discussed access to, and adequacy of, sanitary sewer mains available to serve the property once developed; noting the ten-inch diameter sanitary sewer main on the north side of Rogers Creek is not deep enough to allow development of this parcel. Mr. Schmidt suggested replacing this main with a deeper twelve-inch diameter main and reported Mr. Kunkel requests the City pay 50% of the cost, that Mr. Kunkel would pay 25% and the developer for Sun Development would pay the other 25%. Mayor Doyle and City Council members discussed this matter with Mr. Schmidt, Duane Kunkel and others attending. Items discussed include, but are not limited to:

- Ely providing up to 50%-50% cost participation to install 12-inch sanitary sewer from Manhole A to Manhole D (as shown in an illustration provided by Mr. Schmidt) roughly 3-feet deeper; with Mr. Kunkel to provide 25% of the cost and the eventual developer of the “Sun Development” property to provide the final 25%.
- Ely participating as much as much as 50%-50% in the cost to construct a 12" diameter sanitary sewer main from manhole "B" to manhole "D".
- Ely paying incremental cost to upsize the sanitary sewer main from manhole "D" southeast to the east end of "Pheasant Run" from 8" diameter for capacity to serve possible future development.
- Mr. Kunkel's request to connect proposed Lots 1&2 to the sanitary sewer on Parkland Drive. Mr. Kunkel dropped this request during discussion.
- Improving Worley Lane as a hard surfaced city street adjacent to proposed lots 1 & 2, Mr. Kunkel stated he is willing to do so for his half with Ely responsible for the other half.
- Installation of a sanitary sewer stub for the Worley parcel - "Parcel A", which Mr. Kunkel seemed willing to do at his cost.
- State law does not allow an annexation to create an “island” of unincorporated land surrounded by a city; which would require “Parcel A” to be annexed as part of this process, possibly involuntarily.

Mr. Schmidt, Mr. Kunkel, Mayor Doyle, and City Council members discussed runoff and storm water management for the property; including how much water would be added to Banner Valley Creek, who will own and maintain the proposed detention cells, the crucial importance of assuring no more water flows to Banner Valley Creek. Mr. Schmidt stated less water would flow to Banner Valley Creek after the project is complete, due to changes in how the property is graded. Mr. Kunkel stated willingness to dedicate the storm water management facilities to the City for the city to maintain, operate, and to include the development it in the storm water utility.

Schedule Public Hearing re: Request for Annexation of 37.91+/- Acres North of Banner Valley Road and East of Worley Lane and Request for Zoning of Said Parcel. Stanek moved to schedule a public hearing regarding a request to annex a 37.91+- acre parcel, including “Parcel A”; and to designate a described portion of the parcel as R-1 single family residential and the remaining portion as R-2 single family residential zoning districts for 7:00 p.m. October 14, 2013; second by Hale. Motion carried – 5 to 0.

State Street Improvements Project.

Report re: Cost Estimate to Re-Surface State Street – City Engineer Scott Pottorff. City Engineer, Scott Pottorff, presented a report of the estimated cost to re-surface State Street for the length and segments discussed in the “State Street Corridor Study”. The cost estimate is based on milling the top two-inches of surface and replacing with three inches of Hot Mix Asphalt. Mr. Pottorff noted the expected useful life is roughly ten to fifteen years. Stanek moved to amend the State Street Corridor Study by adding the cost estimate to re-surface; second by Hale. Motion carried – 5 to 0.

“Original Ely” Area Drainage and Storm Water Management Study

Review Proposed Scope of Services. Mayor and City Council reviewed the scope of services for an area drainage and storm water management study for the area between State Street and the former railroad right of way, and between Fuhrmeister Street and Rowley Street proposed by MMS Consultants. The study is expected to be complete and presented to City Council at the November 11, 2014 City Council meeting.

Resolution No. 13-0909-22, Accepting Engineering Contract with MMS Consultants for “Original Ely” Drainage and Storm Water Management Study”. Stanek moved to approve Resolution No. 13-0909-22, Accepting Engineering Contract with MMS Consultants for “Original Ely” Drainage and Storm Water Management Study; second by Ballantyne.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

Residential Building Code

Schedule Public Hearing re: Ordinance 237, Adopting and Enacting the 2013 International Residential Building Code. Stanek moved to schedule a public hearing re: proposed Ordinance No. 237, Adopting and Enacting the 2013 International Residential Building Code for 7:00 p.m. October 14, 2013; second by Grove. Motion carried – 5 to 0.

Website Redesign

Discuss Preliminary Design and Content Updates. Mayor and City Council members reviewed and discussed a preliminary design for the website prepared by BDH Technology; Sarah Sellon also offered input.

Administrative, Personnel and Staffing

Authorize Job Offer for Public Works Position. Clerk/Administrator Anderson reported Ely received seventeen applications for the position; and that an ad-hoc committee comprised of the Mayor, Council members Stanek and Grove, Public Works Director Stark and he interviewed three candidates for the position. Mr. Anderson reported the committee recommends offering the position to Steven M. Bunn at base wage of \$15.00/hour, plus 50-cents/hour for each of the Grade 1 water/wastewater certifications Mr. Bunn possesses, per the Ely Employee Handbook. Ballantyne moved to offer the position of Public Works – 2nd Water/Sewer Operator to Steven M. Bunn at \$16.50/hour; second by Grove. Motion carried – 5 to 0.

Resolution No. 13-0909-23, Approving Annual Street Finance Report. Hale moved to approve Resolution No. 13-0909-23, Approving Annual Street Finance Report, second by Rasmussen.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

Authorize Replacement of Sign in Right-of-Way, First Presbyterian Church Near Ely.

Hale moved to authorize the First Presbyterian Church Near Ely to replace their existing sign located in the right of way on the south west corner of the intersection of State Street and Vista Road with a sign the same height and roughly 4-inches longer at the same location; second by Grove. Motion carried – 5 to 0.

Discussion Items - None

Grove moved to adjourn, second by Hale; motion carried – 5 to 0. The meeting adjourned at 8:55 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator