

**ELY CITY COUNCIL  
REGULAR MEETING  
SEPTEMBER 13, 2010  
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 and Stephanie Mai; Bob Ballantyne participated via telephone, reporting he was unable to attend in person due to being in route to Ely. Also present Joan McAlmant, Sharon Gonzales, Jim Strother, Tom Whinery, Jeff Hilleman, Dave Rasmussen, Jim Miller, Marv Peters, City Engineer Scott Pottorf and Clerk-Administrator Aaron Anderson.

Ballantyne, second by Mai, moved to approve the Consent Agenda consisting of:

- Agenda.
- Minutes of the August 9, 2010 regular City Council meeting.
- Minutes of the August 23, 2010 City Council workshop meeting.
- Treasurers Report for the period ended August 31, 2010.
- Bills Payable for September 2010 totaling \$78,028.93.
- Resolution No. 10-0913-29, Authorizing Delinquent Utility Fees to Assessed to Property Taxes.
- Renewal of Class BC Beer and Wine permit with Sunday Sales privilege for Casey's General Store, 1495 State Street.

Motion carried – 5 to 0.

Treasurer's Report (summary) for the period ended August 31, 2010

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 8,885.57	\$ 47,134.05		\$ 483,791.79
Road Use	11,718.15	4,796.81		12,883.85
L O S T	9,124.83			21,013.83
TIF Fund				-8,391.91
Debt Service				5,871.86
Other Projects		10,140.00		-55,622.49
Library Project				60,608.22
North End Infra				-28,219.93
Water Utility	15,545.78	8,716.94		251,283.49
Water/Sewer Reserve				100,000.00
Sewer Utility	22,146.30	9,779.96		25,323.76
Sewer Debt Service				-45,245.67
Sanitary Utility	5,729.91	5,985.52		44,944.85
PR Clearing	8,240.01	5,241.13		5,846.37
Totals	\$ 81,390.55	\$ 91,947.41		871,748.02

**Communications:** Deputy Pavelka of the Linn County Sheriff's Office presented the Monthly Activity Report.

**Citizen Requests.** Bill Grove reported construction on the Hoover Trail through Ely City Park to Wright Brothers Blvd is well under way.

County Recorder Joan Macalmant introduced herself and stated she is running for re-election as Linn County Recorder.

Sharon Gonzalez introduced herself and stated she is running for election as Linn County Treasurer. Ms Gonzalez discussed her background and vision for the Linn County Treasurer's Office if she is elected.

### **Parks & Recreation Commission**

**Resolution No. 10-0913-30, Approving Fireworks Display Agreement with J&M Display for a Fireworks Display.** Mayor Doyle reported this resolution would approve an agreement with J&M Display for them to provide a fireworks display for Ely Fall Fest on October 9, 2010 at a cost of \$2,503.00. Mai moved to approve Resolution No. 10-0913-31, second by Hale.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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 9, 2010.** Ballantyne moved to authorize the following temporary street closings and no-parking areas for Saturday, October 9, 2010:

- 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: Temporary no parking on east side from Dows to south side of bridge over Rogers Creek from 5:00 a.m. through 8:00 p.m.

Second by Grove; motion carried – 5 to 0.

**Schedule Public Hearing re: Amending Budget for Fall T-Ball Program.** Stanek moved to schedule a public hearing for 7:00 p.m., October 11, 2010 regarding amending the FY 2010-11 budget to authorize additional spending of \$1,900 and additional revenue of \$1,994 in the recreation budget to reflect the Fall Youth T-Ball League; second by Mai. Motion carried – 5 to 0.

**Request to Address Erosion from Storm Sewer Outlet at South End of North Street into Louis Field Addition Pond.** City Administrator Anderson reported City Hall received a request from various Ely residents who own property in Louis Field Additions to address erosion down stream from a storm sewer outlet pipe. Mr. Anderson reported the residents have a quote from a contractor to extend the 48" diameter storm sewer pipe another 80 feet so it discharges directly into the pond at or below water level. Ballantyne moved to direct City Administrator, City Engineer and Public Works Director to work with the Homeowners Association to recommend most effective and cost effective method of controlling erosion downstream of this storm sewer outlet, and draft an agreement that sets out land owner's authorization for Ely to work, install and maintain the improvements on their property, who will

be responsible for maintenance of the improvements; and that the improvements will remain on the property; second by Stanek. Motion carried – 4 to 0; Grove abstaining.

**Linn County Public Health Department re: Linn County and Area Cities Anti-Tobacco Sampling Ordinance and Effort.** A representative of the Linn County Public Health Department reported the new “Healthy Behaviors” branch of the department received a “Putting Communities to Work” grant to address health and lifestyle concerns in Linn County. He reported their office is working with the Board of Supervisors and other cities in Linn County for an “Anti-Tobacco Sampling” ordinance. Mayor Doyle and the City Council noted they would consider such an ordinance once Linn County Public Health has finished drafting it.

**Wickiup Hills Outdoor Learning Center Expansion – Linn County Conservation Department.** City Administrator Anderson reported Linn County Conservation seeks to expand the Wickiup Hills Outdoor Learning Center, the expansion to include multi-purpose classroom, more display area, safe room/administrative offices, and more public restrooms. He reported they applied for a grant from the Iowa Community Attraction and Tourism (CAT) program, and that Linn County Conservation seeks a resolution of support for the project and CAT application, and a nominal financial contribution as match for the CAT grant.

**Resolution No. 10-0913-31, Allocating \$250 Support for a Community Attraction and Tourism (“CAT”) Grant Application by Linn County Conservation Board for a Proposed Expansion to Wickup Hills Outdoor Learning Center.** Grove moved to approve Resolution No. 10-0913-31, second by Hale.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

#### **Downtown Area Commercial Building Improvement Incentive Program**

**Authorize Release of Incentive Grant Payment of \$1,744.42 as Reimbursement for Work Performed at 1655 Dows Street, North Dows Pizza – Jim Strother.** Stanek moved to authorize payment of \$1,744.42 to Jim Strother as reimbursement for work performed for North Dows Pizza at 1655 Dows Street, under the Ely Downtown Area Commercial Building Incentive Program, second by Hale. Motion carried – 5 to 0.

**Approve Revised Program as Downtown Area Commercial Building Forgivable Loan Program.** Mayor Doyle reported City Administrator Anderson prepared a revision to the downtown buildings incentive program from a grant program to a forgivable loan program, as discussed at the August 23, 2010 workshop meeting. Grove moved to approve the revised program as the “Downtown Area Commercial Building Forgivable Loan” program with the addition of the following:

“Work included in the Forgivable Loan project must begin within sixty (60) days of approval by the City Council of the loan and loan agreement. The City may revoke approval or terminate the loan agreement in the event the property owner/applicant fails to begin work within sixty-days of loan agreement.”

Second by Ballantyne; motion carried – 5 to 0.

**Water Tower and Water System Improvements Project.**

**Authorize Advertising for Bids for Water Tower and Water System Improvements Project.** Stanek moved to authorize advertising for bids, setting deadline for bid submittal and schedule opening of received bids for the Water Tower and Water System Improvements Project, as set out in the preliminary plans and specifications prepared by City Engineer Scott Pottorf of MMS Consultants, dated April 22, 2010; with said bids to be received by the City Clerk no later than 2:00 p.m. Wednesday October 6, 2010 and opened immediately thereafter; second by Mai. Motion carried – 5 to 0.

**Schedule Public Hearing re: Plans, Specifications and Form of Contract for Ely Water Tower and Water Systems Improvements Project.** Ballantyne moved to schedule a public hearing regarding plans, specifications and form of contract for the Water Tower and Water Systems Improvements Project for 7:00 p.m. October 11, 2010; second by Mai. Motion carried – 5 to 0.

**Resolution No. 10-0913-32, Resolution Fixing Date for a Meeting on the Authorization of a Loan and Disbursement Agreement and the Issuance of Not To Exceed \$1,557,300 Water Revenue Capital Loan Notes of Ely, Iowa, and Providing for Publication of Notice Thereof.** Stanek moved to approve Resolution No. 10-0913-32, second by Ballantyne.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Water Tower Painting/Design.** Mayor Doyle and the City Council reviewed four lettering, design and color options for the water tower project prepared by MMS Consultants. Stanek moved to include to show “Option A” consisting of the graphic from Ely letterhead without the band in dark green with the lettering in dark green as the preferred option in bid documents, with “ELY” in dark green letters as bid alternate; second by Hale. Motion carried - 5 to 0.

**Resolution No. 10-0913-33, Approving FY 2009-10 Street Finance Report.** Stanek moved to approve Resolution No. 10-0913-33, Approving FY 2009-10 Street Finance Report; second by Ballantyne.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Hoover Nature Trail Extension – Ely Park to State & Rowley Intersection**

**Response to Offer and Potential Counter-Offer.** City Administrator Anderson reported Hawkeye Land Co. responded to Ely’s offer to purchase one parcel totaling roughly 1.88 acres at \$33,840 with a counter-offer to sell two parcels with roughly 2.5 acres at \$55,000. The consensus was that the Mayor and City Council were not willing to pay more per acre; no action was offered or taken on this matter.

**Discussion Items**

Hale moved to adjourn, second by Mai. Motion carried – 5 to 0. The meeting adjourned at 7:51 p.m.

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James E. Doyle Jr., Mayor

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