

**ELY CITY COUNCIL  
REGULAR MEETING  
OCTOBER 8, 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, Jerry & Connie Inman, Kathy Rhinehart, Butch & Annette Weineke, Carrie Kimm, Randy Rohner, Janine Norman, Melissa Sharapova, Keith Schulte, Sarah Sellon, Don Scott, Mikayla Hamad, Clint Fangmann, 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 Hale, moved to approve the Consent Agenda consisting of:

- Agenda
- Minutes of the September 10, 2012 regular City Council meeting
- Treasurers Report for the period ended September 30, 2012.
- Bills Payable for October 2012 totaling \$63,120.96

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended September 30, 2012

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 6,139.73	\$ 24,407.26		\$ 509,312.35
Road Use	16,978.73	10,793.44		67,804.89
L O S T				165,945.55
TIF Fund	4,505.20			120,895.15
Debt Service				7,871.87
Other Projects		175.00		93,238.36
Library Project				-9,106.23
Way Point Sign				-14,405.79
North End Infra				-25,589.93
Water Utility	17,647.63	10,466.95		329,550.53
Water/Sewer Reserve				50,130.59
Sewer Utility	28,872.82	11,258.06		118,096.40
Sewer Debt Service		15,000.00		-120,126.19
Sanitary Utility	5,902.57	6,735.96		40,557.50
Farmers Market				900.04
PR Clearing	9,487.85	8,661.88		3,702.69
Totals	\$ 87,534.58	\$87,498.55		\$ 1,335,778.05

**Communications.** Deputy presented the Sheriff’s Office Monthly Activity Report.

**Citizen Requests.** None

**Lion’s Club**

**Presentation by Jerry Inman and Kathy Rhinehart from Lion’s Club re: Establishing a Lion’s Club in Ely.** Jerry Inman and Kathy Rhinehart discussed Lions clubs, their service to

the world and community and reported Lions seek to start a club in the Ely area. Items discussed include: Lions' focus in Iowa on kids eyesight and hearing assistance, national and international projects and the liability insurance that accompanies each member and club. Mr. Inman reported they will be in the Ely area the last week of October to talk with people about interest in forming and joining a Lion's Club in Ely or the Ely-Fairfax area; and asked for the City Council to endorse their interest in forming a club. Stanek moved to endorse the initiative to investigate and possibly form a Lion's Club chapter in Ely; second by Rasmussen. Motion carried – 5 to 0.

### **Nuisance and Dangerous Buildings**

**Hearing re: Notice to Repair or Remove Dangerous Building at 1290 Banner Valley Road. 7:00 p.m.** Annette Weineke waived their request for a hearing regarding a dangerous building on land she and Butch Weineke own at 1290 Banner Valley Road. Mrs. Weineke reported the building was demolished and they are working on removing the debris. She noted they are trying to get people to remove the wood and reuse it rather than sending it to the landfill. Stanek moved to determine progress to abate a dangerous building at 1290 Banner Valley Road is satisfactory, subject to the debris being fully removed by March 1, 2013; second by Hale. Motion carried – 5 to 0.

**Request to Install/Replace Fence on West Side of 1290 Banner Valley Road.** City Administrator Anderson reported Butch and Annette Weineke have requested Ely install a woven wire fence with ability for a single strand of electrified fence along the Banner Valley Road side of their property at 1290 Banner Valley Road. Annette Weineke stated this is to replace a fence the City removed when building the Main Street/Banner Valley Rd Bridge, which was included in the easement agreement for the Rogers Creek Trunk sewer project. Ballantyne moved to authorize the City Administrator to accept the low reasonable quote to replace this fence not to exceed \$2,500.00; second by Stanek. Motion carried – 5 to 0.

**Determine Satisfactory Abatement of Nuisance Conditions at 1505 Fuhrmeister Street.** Mayor Doyle reported piles of compost and woodchips were removed, placed for gardening use or applied over the yard to abate the nuisance conditions the City notified the owner to remedy at 1505 Fuhrmeister Street. Melissa Sharapova, the property owner, discussed status of conditions on the property, including that the gardening method she is using use limbs and similar items as gardening material and that she has a plan for their use. Ballantyne moved to determine progress to abate nuisance conditions at 1290 Banner Valley Road is satisfactory, second by Hale. Motion carried – 5 to 0.

### **Sanitary Sewer Use Rate**

**Second Reading Ordinance No. 231, “Revising Sanitary Sewer Rental Rates”.** Stanek moved to approve second reading of Ordinance No. 231, “Revising Sanitary Sewer Rental Rates”, second by Hale.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

Mayor Doyle declared the motion carried, and second reading approved – 5 to 0.

Stanek moved to waive third reading of Ordinance No. 231, per Section 380.3 Code of Iowa; and approve final adoption; second by Grove.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

Mayor Doyle declared the motion carried, third reading waived and Ordinance No. 231 approved – 5 to 0.

### **Zoning Regulations for Downtown Commercial & Residential Uses**

**Second Reading of Ordinance No. 232, “Amending the Text of the Ely Zoning Ordinance by Adding the C-1a Downtown Commercial Zoning District”.** Stanek moved to approve the second reading of Ordinance No. 232, “Amending the Text of the Ely Zoning Ordinance by Adding the C-1a Downtown Commercial Zoning District”; second by Ballantyne.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

Mayor Doyle declared the motion carried, and second reading approved – 5 to 0.

Ballantyne moved to waive third reading of Ordinance No. 232, per Section 380.3 Code of Iowa; and approve final adoption; second by Stanek.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

Mayor Doyle declared the motion carried, third reading waived and Ordinance No. 232 approved – 5 to 0.

### **2011 Water Tower Improvements Project**

**Review Quotes Received for Demolition and Excavation Work Related to Demolishing Water Tower at 1671 Knoll Court.** City Engineer Scott Pottorf reported Ely received the following quotes to demolish the “old” water tower at 1671 Knoll Court:

- Kosinski Demolition, Inc., Port Austin, MI - \$13,200.00
- Iseler Demolition, Romeo, MI - \$17,500.00
- All State Tower, Inc, Henderson, KY - \$28,979.00

Mr. Pottorff reported Ely received the following quotes for excavation and pipe work related to demolishing the water tower at 1671 Knoll Court:

- Kelly Demolition & Excavating, Mount Vernon, IA - \$14,502.77
- Brown Concrete & Backhoe, Ely & Cedar Rapids, IA - \$18,881.00
- Dave Schmitt Construction, Cedar Rapid, IA - \$19,425.00
- Tschiggfrie Excavating, Co., Dubuque, IA - \$20,842.00
- Maxwell Construction, Iowa City, IA - \$22,038.00
- Triple B Construction, Wilton, IA – \$24,431.00.

**Resolution No. 12-1008-38, Accepting Quote for Demolition of Existing Water Tower at 1671 Knoll Court.** Mayor Doyle reported this resolution accepts the quote of \$13,200.00

from Kosinski Demolition, Inc., of Port Austin, MI to demolish the water tower at 1671 Knoll Court; and noted that Kosinski Demolition is in process of renewing their Iowa Contractor Registry certification. Ballantyne moved to table Resolution No. 12-1008-38 until November 12, 2012; second by Hale.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

**Resolution No. 12-1008-39, Accepting Quote for Excavation Work related to Demolition of Water Tower at 1671 Knoll Court.** Mayor Doyle reported this resolution accepts the quote of \$14,502.77 from Kelly Demolition and Excavating to perform excavation and pipe work related to demolishing the water tower at 1671 Knoll Court. Stanek moved to approve Resolution No. 12-1008-39, 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.

#### **Public Works – Streets, Water, Sewer & Equipment**

**Authorize Work to Adjust Tank Wall and Re-Set Heater to Prevent Ice Accumulations by Drive Chains for WWTP.** City Administrator Anderson reported the heaters purchased to prevent ice from accumulating under and around the drive chains at the WWTP extend too far from the tank wall and conflict with the drive chains. Mr. Anderson reported Public Works Director Ron Stark recommends removing roughly two-inches from the concrete of the tank wall around the heater and set the heaters in the recessed area. He reported Mr. Stark is working with Brown Well & Pump Service and that the work can be completed for no more than \$8,080.00. Mr. Anderson requested authorization to allow up to \$8,080.00 to perform the work described above. Grove moved to authorize up to \$8,080.00 to remove two inches of tank wall and reset heater at the WWTP; second by Ballantyne. Motion carried – 5 to 0.

**Storm Water Control Fuhrmeister Street between Walker and State Streets.** City Administrator Anderson reported on the status of previous work to improve storm water management in the general area of the intersection of Fuhrmeister and State Streets including regrading a swale through a drainage easement at 1515 Fuhrmeister St., owned by Carrie Kimm. He reported City Engineer found that the grade is inadequate to prevent areas of standing water. Mayor and City Council discussed with City Engineer Scott Pottorff and Carrie Kimm. Keith Schulte discussed concerns regarding the negative impact on drainage created by construction of the Hoover Trail parallel to Wrigley Street with the City Council. Ballantyne moved to have the City Engineer and City Administrator study options to improve storm water management and control at the intersection of Fuhrmeister and State Streets and parallel to Wrigley Street and report back to City Council November 12, 2012; second by Grove. Motion carried – 5 to 0.

**Authorize Work to Clear Brush and Scrub Trees in Right of Way Along Vista Road.** Grove moved to authorize up to \$2,000.00 for a contractor to clear brush and scrub trees from the right of way on the south side of Vista Road; second by Stanek. Motion carried – 5 to 0.

**Review Bids Received from Parties Interested in Purchasing Used 25 HP Variable Frequency Drive.** City Administrator Anderson reported Ely received one bid for the 25 HP Variable Frequency Drive; \$1,500.00 from Ed Brinton on behalf of the City of Victor. Hale moved to refuse all bids and authorize the City Administrator to pursue options to receive most beneficial price and accept the offer; second by Grove. Motion carried – 5 to 0.

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

**Confirm Siren Locations and Additional Voice Message.** Ballantyne moved to siren locations at roughly the northeast corner of Ely City Park and in the right of way at the south point of 1070 State St. and authorize a spoken message to advise when an alert is to call the Ely Volunteer Fire Department for service; second by Grove. Motion carried – 5 to 0.

### **Administrative, Personnel and Staffing**

**Report re: Urban Chickens in Linn and Johnson Counties.** City Administrator Anderson presented a report re: of other cities in Linn and Johnson counties ordinances and/or policies on raising chickens in residential areas. Ballantyne moved to table further action re: “Urban Chickens”, second by Grove. Motion carried – 5 to 0.

**Resolution No. 12-1008-40, Authorizing Routine Monthly Inter-Fund Transfers.** Ballantyne moved to approve Resolution No. 12-008-40, second by Hale.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

Stanek moved to adjourn, second by Hale; motion carried – 5 to 0. The meeting adjourned at 8:54 p.m.

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James E. Doyle Jr., Mayor

Attest:

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Aaron Anderson, Clerk/Administrator