

**ELY CITY COUNCIL
REGULAR MEETING
OCTOBER 10, 2016
7:00 p.m.
ELY CITY COUNCIL CHAMBERS**

Mayor Eldy Miller called the meeting of the Ely City Council to order at 7:00 p.m. Council Members present: Teri Billick, Stephanie Mehmen, Kay Hale, Judy Wery and Elizabeth Rohner Also present: Jim Miller, Alan Wery, Nancy & Kerry Vincent, Duane & Connie Kunkel, Frances Buresh, Dan Whitaker, Katie Jo Bruhn, Josh Entler, Mark Zanont (SP?), Tom Reed, Shannon Billick, Connor Fisher, Rob Kramer, Butch & Annette Wieneke, Scott Pottorff and Luanne Miller, Deputy Clerk.

Mayor Miller led the City Council and others attending in the Pledge of Allegiance.

Hale, second by Mehmen, moved to approve the Consent Agenda consisting of:

Agenda, as presented.

Minutes of the Sept 12th 2016 regular meeting

Minutes of the Sept. 27th, 2016 special meeting

Treasurer Report

Bills Payable, note additions. Total op = \$301,277.11

Motion carried – 5 - 0

Correspondence/Communications. Parks & Recreation Coordinator reported on the Fall Fest and status of new City of Ely website. Board Member Dan Whitaker gave Library Report and Linn County Deputy Joel presented the Sheriff's Activity report.

Citizen Requests. Heidi Carmer spoke in regards to item that was to be on the agenda for this meeting regarding the vacating of Worley Lane. It was missed but will be reviewed and possibly put on the November Meeting Agenda.

Business:

Linn County Minimum Wage

Mehmen motion and Hale second the motion to open Public Hearing. Passed 5-0

Comments from the public: Mark Banowetz addressed the City Council that he was happy that the council is leaning toward rejecting minimum wage requirement. He has attended the Linn County Board of Supervisor Meetings and believes Linn County is trying to force Iowa Legislature to enforce the individual towns and hurts the smaller communities. He believes they are now trying to move it from a Minimum wage to a Living Wage. Don't need Linn County Supervisors to dictate what the small communities need to pay. John Harris was the only supervisor that voted no because he represents the smaller communities in Linn County. He reminded the council that the reading can be closed and the 2nd & 3rd readings can be waived. Mayor Miller asked if there were any other comments on this item. There were none. Rohner motioned to closed public hearing, Wery second. Passed 5-0

Mayor Miller did 1st reading of Ordinance 251 Rejecting Linn County Iowa Minimum Wage Ordinance 251.

Mehmen moved to approve the first reading of Ordinance 251, second by Rohner.

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Passed 5-0

Mehmen made motion to waive the second and third reading, pursuant to §380.3, Code of Iowa; second by Billick.

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Passed 5-0

Mayor Miller declared the second and third reading of Ordinance No. 251 waived
Approved – 5 to 0.

Kunkel 2nd Addition/Deer Valley

Resolution 16-1010-34

Mayor Miller gave brief overview of agenda item #2. Mr. Kunkel requested 1 lot to be approved as Deer Valley 2nd Addition. Was reviewed by City Engineer and then on to Planning and Zoning which was rejected by a vote of 5-0 at the September 21st Meeting.

Duane Kunkel displayed drawing showing the lot looking for approval on one lot that was rejected in September 21st Planning and Zoning Meeting. Mr. Kunkel spoke with 2 other companies on the sewer concerns given by MMS and Planning and Zoning Commission. Said clogs could be removed from the south side going upstream with a jetting process. Scott of MMS suggested a man hole needed closer to the house. Prefers it to jet toward the downhill side if there is a clog, this was agreed on by Ron Stark, City Public Works Director. Mr. Kunkel questioned Planning and Zoning decision now they are mentioning a need for a temporary Cul-de-sac's on the end of the streets that were not an issue on the initial development plans. There are already 4 dead-end streets already in, went through P&Z and City Council and was approved. Showed several examples where there are dead ends already approved. He would like it approved, doesn't understand why not approved. He has a \$50,000 lot sitting there that needs to be sold.

Scott said we should have had the cul-de-sacs done. They were mentioned early on in the process as new codes were in the works of being passed that would have required it, but we made mistakes not enforcing them to be done. The one at the end of Parkland should have had one for sure, we made a mistake. In regards to the sewer, every one done in Ely we prefer to have a manhole up street for clean out purposes. He deferred to Ron Starks PW Director for his opinion. Rule of thumb when we have service to lot, that eventually there would be a home there.

Mr. Kunkel refers to his map, mentioned that no one drives on those streets, no garbage cans are put out there. Bottom clean out not unusual. He also noted that on the preliminary plat on corner lots, they were approved to have driveway access on either street that bordered the lot.

Billick mentioned to check 1st street in Deer Valley to only have address on one side because of the congestion.

Mr. Kunkel asked if there was an ordinance on having cul-de-sac? He offered to get more examples from other sewer vendors.

Ron Stark, Public Works Director said if the sewer had a cap, and you put 2500 psi it could/will blow the cap. Sanitary cap can be a problem. Water is not a problem. Mr. Kunkel asked if he was doing something to harm the city.

Mayor Miller asked when would street Pheasant Run phase be finished out, or what is the next phase?

Mr. Kunkle Pheasant Run may not be the next phase. Fox Run interest may be ahead of it, thus 1-2 years.

Stark asked how far is the sewer tap from the end. If sewer tap is close to the end of the line. Mr. Kunkle did not know, he would think every end would be concrete end.

Ron said if it is stable he may be ok with it. Vendor Cornerstone can validate or Kunkel can check if concrete end and will get the city something in writing., if not he will pay the money to make it right and the city can review it. Kunkel asked if sewer main is secure concrete backing, sewer main only, would city be ok? PW Stark is ok with this. Kunkel said he is ok with this, that he can secure sewer with concrete backing. Hale requested to Kunkel to put it in writing.

Stark said if the sewer main that it would be hooked up to is secure at the end with concrete backing, then yes it is safe as far as the sewer main. 2500 PSI from a jetter doesn't blow out end cap.

Mr. Kunkel said he can guarantee it will be done and will be done right. Either is done now or will be done quickly if city council approves.

Mehmen still concerned with turn around. Mr. Kunkel said this hasn't been brought up before or when was this discussed. He asked again if there was anything in ordinance about this. Scott mentioned that one of his first conversations with previous City Manager there was mention of a turn-around at the end of Parkland Drive, not sure where the communication between us and your engineer broke down. Aaron no longer here so we don't have an answer on what happened. Billick mentioned it was brought up in Nov & Dec of 2015 and that the fire Marshall now enforces it. Mr. Kunkel has problem with having the cul-de-sac brought up at this time and with requiring the cul-de-sac. Kunkel said snow plow wasn't done on those streets and council said because there are no homes there at this time. Council questioned if temporary turn around can be gravel. Billeck said turnarounds was brought to the attention of City Hall and discussed end of 2015. It apparently was an oversight on the final plat. Council indicated the plat was originally approved and now Mr. Kunkel is changing it. Mayor Miller said he believes the request dies as no council member is making a motion. Mr. Kunkle questioned why does it have to die. Resident Josh Entler suggested not to let it die, table the resolution; confirm that the cul-de-sac be checked out first with fire Marshall and then Mr. Kunkle will know if to proceed with ensuring sewer cap is cemented with Ron Stark.

Resolution 16-1010-34 tabled

Kunkel 2nd Addition/Deer Valley First Addition

Request for Payment of Additional Work Resolution No. 16-1010-35 was to be removed/tabled per Duane Kunkel

Resolution 16-1010-35 Repair/Replace ASA Handicap Assessable Door Opened at City Hall

Reviewed 2 bids to repair gear box or replace gear box

Hale made motion to replace existing operator with Entrematic operator bid at \$1738 and get service contract information, Mehmen second.

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Public Works, Streets, Water, Sewer & Equipment

Resolution No. 16-1010-36 Generator Maintenance

Council reviewed 4 bids to service the generator at WWTP

Mehmen motion to approve bid from Altorfer Cat, Hale second

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Altorfer does both annually charged 6 years divided. Emailed copies to City Council. Roughly \$800/year Ron to check to see if this is a yearly payment. (No prepaying for full contract up front)

Resolution No. 16-1010-37 Accepting Quote for WWTP Valves

Presented two valve options. One more expensive was promoted as a water tight option- 2 yr. warranty, no lifetime though. The second was the standard version ordered in the pass. Cost for 3 of the standard versions was \$3195 + shipping.

Hale motion to purchase 3 standard valves, Wery second

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Resolution No. 16-1010-38 Accepting Quote for Radio Controllers

New radio controllers are needed for the wells and water tower due to the upgrade to fiber by Southslope for the city. Approve bid from Jetco Electric. They handled the work on the water tower and well in the past and know the system.

Hale motion to approve installation of radio controllers, Rohner second

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Request for Quote approval

Public works requested city council to approve pursuing RFQ for remove of Yard Waste/Compost Pile at WWTP

Rohner motion, Mehmen second

Motion passed 5-0

Katie Jo Bruhn asked if city could give out the compost/location.

Administrative Personnel Staffing

Discuss possible closure of City Hall during the week.

Middle of day closure. 11 - 1:30 Temporary Hours until New Administrator. Put on Social Media, website and post.

Mehmen motion, Hales second

Motion passed 5-0

*Closed Meeting – Possible Land Purchase

Discussion Items – Possible move to 2 city council meetings a month.

Discussed that first meeting would be regular business.

2nd Meeting - Workshop Meeting Forward thinking Catch mistakes. City council suggested looking at what other cities around us are doing and how they feel about two meetings.

Adjourn Meeting 8:25 p.m.

Mehmen made motion to adjourn meeting, Hale second, motion carried 5-0

Meeting Adjourned at 8:25 p.m.

Eldrew Miller, Mayor

Attest:

Luanne Miller, Deputy Clerk