

**ELY CITY COUNCIL  
REGULAR MEETING  
OCTOBER 11, 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, Stephanie Mai and Bob Ballantyne. Also present Brian Buresh, Shawn Weber, Jim Miller, Jennifer Jordebek, Jeff Hilleman, Keith Schulte, Dave Rasmussen, City Engineer Scott Pottorf and Clerk-Administrator Aaron Anderson.

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

- Agenda.
- Minutes of the September 13, 2010 regular City Council meeting.
- Minutes of the September 27, 2010 City Council workshop meeting.
- Treasurers Report for the period ended September 30, 2010.
- Bills Payable for September 2010 totaling \$71,030.54.

Motion carried – 5 to 0.

Treasurer’s Report (summary) for the period ended September 30, 2010

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 22,404.60	\$ 45,642.87		\$ 460,553.52
Road Use	11,047.98	7,039.66		16,892.17
L O S T	12,759.35			33,3773.18
TIF Fund	8,052.92	1,744.42		-2,623.41
Debt Service	2,237.93			8,109.79
Other Projects		7,349.70		-62,972.19
Library Project				60,608.22
North End Infra				-28,219.93
Water Utility	15,910.41	8,873.59		258,320.31
Water/Sewer Reserve				100,000.00
Sewer Utility	21,778.58	19,078.53		26,223.81
Sewer Debt Service				-45,245.67
Sanitary Utility	5,545.66	5,728.56		44,761.95
PR Clearing	8,178.63	12,365.360		1,695.70
Totals	\$ 107,916.06	\$ 107,822.63		\$ 871,841.45

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

**Citizen Requests.** Jeff Hilleman summarized Fall Fest activities; noting that over 600 kids purchased tags for the inflatable attractions and pumpkins and the classic car show had 82 to 90 entries. Mr. Hilleman stated the Parks Commission members all worked hard, and noted that new members Chris Levi and Sarah Netolicky worked really hard. He thanked everyone on the Fall Fest committee for their hard work; and thanked the City Council, Rotary, Volunteer Fire Department, Boy Scouts and First Presbyterian Church for their support and effort. Mr. Hilleman reported Fall Fest sponsors contributed \$5,800, an increase over past years. Mayor

Doyle thanked the Parks Commission and everyone who worked on Fall Fest, and congratulated them on an excellent event.

Jim Miller stated it was nice to see most of the City Council out and working on Fall Fest.

Brian Buresh, 1625 Hillcrest Street, reported the sanitary sewer service lateral for his home ad clogged with rocks and sand twice, and that it appeared the lateral was damaged when the storm sewer lines were installed across Hillcrest Street. Mr. Buresh presented invoices for two services calls by Roto-Rooter related to clogged sewer and asked the City Council to pay \$599.20 to Roto-Rooter for a service call September 23, 2010 and to reimburse him \$165.85 for a previous Roto-Rooter service call. City Council directed the City Administrator Anderson and Public Works Director Stark to review the invoices and damage and report at the October 25, 2010 workshop meeting.

Shawn Weber reported his neighbor has been burning yard waste; City Council directed City Administrator to contact the neighbor about Ely's ordinance and suggested Mr. Weber talk with the neighbor regarding burning or contact Linn County Air Quality Division.

### **Parks & Recreation Commission**

**Public Hearing re: Amending Recreation Budget for Fall T-Ball Program.** Stanek moved to open a public hearing re: amending the FY 2010-2011 budget for the fall T-Ball program at 7:21 p.m., second by Mai. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 7:21 p.m. Mayor Doyle asked for comments regarding the public hearing item. Mayor Doyle summarized that the proposed budget amendment would reflect \$1,900 additional revenue from t-ball league participant fees and \$1,800 in additional expenditures in the recreation activity for the youth fall t-ball league. Stephanie Mai stated the Parks Commission did not know they would hold a fall t-ball league when the budget was prepared and that the league was effectively self-funded by participant fees.

Mayor Doyle asked for further comments regarding the public hearing, none were offered or received. Stanek moved to close the public hearing at 7:22 p.m., second by Mai. Motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 7:22 p.m.

**Resolution No. 10-1011-35, Amending Budget.** Mayor Doyle reported this resolution would amend the FY 2010-11 Budget by increasing revenues associated with the recreation function by \$1,900, and increasing recreation budget expenditures by \$1,800. Stanek moved to approve Resolution No. 10-1011-35, second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Appoint Mark Harapat, 1610 Knoll Court, and Dave Schrock, 1930 Meadowhill Place, to Ely Parks Commission.** Grove moved to table action on this matter subject to a closed session with Mr. Harapat to discuss propriety of the potential appointment;

second by Hale. City Council discussed the matter, including that Mr. Grove noted concern that Mr. Harapat appeared to have violated the Golf Cart/ATV ordinance; that there may be other ways for the city to emphasize the need for people to follow the requirements of that ordinance, and other items. Mr. Grove retracted his motion, with the concurrence of Ms Hale.

Grove moved to appoint Dave Schrock, 1930 Meadowhill Place, to the Ely Parks Commission for a term to run through August 31, 2012, second by Hale. Motion carried – 5 to 0.

City Council discussed ways to get more effective compliance with the ATV/Golf Cart ordinance, and directed City Administrator Anderson to send a letter to everyone who has an Ely ATV/Golf Cart permit regarding about ordinance requirements including that anyone driving must be at least 18 years old and that the ordinance requires lights. Stephanie Mai stated she is opposed to the concept of singling out one person in this situation. The City Council directed this to be a topic at the next workshop meeting.

**Request to Address Erosion from Storm Sewer Outlet at South End of North Street into Louis Field Addition Pond.** City Administrator Anderson reported the City is still working on getting quotes to install a riprap lined swale for drainage downstream from the storm sewer outlet.

**Fuhrmeister/State Street Storm Water Management.** City Administrator Anderson reported Ely received quotes to re-grade a drainage swale on a drainage easement on private property at 1670 State Street and replace two culverts under Fuhrmeister Street with larger culverts. He reported the following were the low quotes for this work”

- Brown Concrete and Backhoe – install culverts and grade drainage way, \$3,800, not including culverts.
- Schimberg Co. – 140 lf of 18” diameter culvert - \$1,233.26
- Artistic Landscaping & Lawn Care – restoration of drainage way - \$1,596.00

**Resolution No. 10-1011-36, Accepting Quotes to Perform Work to Improve Storm Water Control in Fuhrmeister and State Street Area.** Mayor Doyle reported this resolution accepts the quotes shown above for improvements to the storm water control in the Fuhrmeister Street area. Stanek moved to approve Resolution No. 10-1011-36, 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 and Water System Improvements Project.**

**Public Hearing re: Plans, Specifications and Form of Contract for Ely Water Tower and Water Systems Improvements Project.** Stanek moved to open a public hearing regarding plans, specifications and form of contract for the Water Tower and Water

Systems Improvements Project at 7:53; p.m. second by Mai. Motion carried – 5 to 0. Mayor Doyle declared the public hearing open at 7:53 p.m.

Mayor Doyle asked for comments from the public regarding the public hearing item. Dale Stanek asked if the cost estimated of \$1,100,000 is still valid, City Engineer Scott Pottorf replied it is. Mr. Doyle noted the total estimated cost of the project is \$1,495,000, including engineering and land acquisition. Aaron Anderson reported water rates may need to be increased, depending on actual construction bids and cost; and that Ely would borrow \$1,215,000 to cover project costs, based on current estimates.

Stanek moved to close the public hearing at 7:55 pm., second by Mai. Motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 7:55 p.m.

**Resolution No. 10-1011-37, Approving Plans, Specification and Form of Contract for 2011 Water Tower and Water System Improvements Project.** Stanek moved to approve Resolution No. 10-1011-37, second by Mai

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Confirm Re-Scheduling of Date to Receive and Open Bids.** Stanek moved to confirm rescheduling date and time bids for the 2011 Water Tower Improvements Project are to be received to 2:00 p.m. October 20, 2010, bids received to be opened immediately thereafter; second by Hale. Motion carried – 5 to 0.

**Public Hearing re: the Authorization of a Loan and Disbursement Agreement and the Issuance of Notes to Evidence the Obligation of the City Thereunder.** Stanek moved to open a public hearing re: the authorization of a loan and disbursement agreement and the issuance of notes to evidence the obligation of the City at 7:58 p.m., second by Mai. Motion carried – 5 to 0; Mayor Doyle declared the public hearing open at 7:58 p.m.

Mayor Doyle asked for comments from the public regarding the public hearing item. Jim Miller stated it is 8:00, and the agenda stated the hearing would start 7:00 p.m. Aaron Anderson stated the City of Ely would issue water revenue for the water tower improvements project, and that the bonds will be repaid only with proceeds of the water utility.

Stanek moved to close the public hearing at 7:59 pm., second by Ballantyne. Motion carried – 5 to 0. Mayor Doyle declared the public hearing closed and meeting in regular session at 7:59 p.m.

**Resolution No. 10-1011-38, Resolution Instituting Proceedings to Take Additional Action for the Authorization of a Loan and Disbursement Agreement and the Issuance of Notes not to exceed \$1,557,300 Water Revenue Capital Loan Notes.** Mai moved to approve Resolution No. 10-1011-38, second by Stanek.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Resolution No. 10-1011-39, Accepting Supplemental Agreement for Services to Perform Subsurface Analysis of Water Tower Site.** Mayor Doyle reported this resolution would approve additional subsurface analysis for the water tower site to confirm under ground conditions as deep as 90-feet below surface to assure potential bidders have reliable information to base their bid and construction plans on. He stated the services would be provided by Terracon at a cost of no more than \$2,600.00. Ballantyne moved to approve Resolution No. 10-1010-39, second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Resolution No. 10-1011-40, Adopting Policy Governing Snow Plowing and Ice Control on Public Streets in the City of Ely, Iowa.** Stanek moved to approve Resolution 10-1011-40, second by Ballantyne

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Resolution No. 10-1011-41, Designating the Economic Development Group of Ely (EDGE) as the City of Ely's Official Economic Development Partner.** Stanek moved to approve Resolution No. 10-1011-41, second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**North Entry Waypoint Project – Status Report.** Mayor Doyle reported over \$8,400 has been received so far for the North Waypoint and Sign project, in addition to the Living Roadways Grant. He reported the Living Roadways program advises the City could spend money to prepare the foundation or other activities as long as Ely maintains required local match. Stanek moved to authorize spending up to \$1,200 of donated funds to prepare the sign foundation; second by Mai. Motion carried – 5 to 0.

**Mahoney Annexation, Annexation of and Connection to City Water – Status Report.** Clerk-Administrator Anderson reported ongoing efforts to get quotes to extend water main, and that Mr. Mahoney has apparently connected the new house via a joint connection to the well that serves his home. The City Council directed City Administrator Anderson to contact the City Attorney to process special assessment process to extend water mains to this property.

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

**Response to Offer and Potential Counter-Offer.** City Administrator Anderson reported Hawkeye Land Co. is not willing to relinquish right to grant easements to the property Ely seeks to purchase from them; the City Council discussed this and noted little support for allowing Hawkeye Land to preserve their right to grant easements through the property.

**Discussion Items**

Bill Grove noted there is still not a stop sign for traffic entering Banner Valley Road from Worley Lane.

Mai moved to adjourn, second by Ballantyne. Motion carried – 5 to 0. The meeting adjourned at 8:25 p.m.

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James E. Doyle Jr., Mayor

Attest:

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Aaron Anderson, Clerk/Administrator