

**ELY CITY COUNCIL  
REGULAR MEETING  
OCTOBER 13, 2014  
ELY CITY COUNCIL CHAMBERS**

Mayor Jim Doyle called the meeting to order at 7:00 p.m. Council members present: Bill Grove, Kay Hale, and Bob Ballantyne. Stephanie Mehmen arrived during the meeting and Dave Rasmussen was absent-excused. Also present: Jim Miller, Jamie Schurbon, Paul Rohlwig, Andrew Oien, Luka Maloney, Rob Smith, Les Beck, Sarah Sellon, Katie Jo Bruhn, Keith Schulte, Annette Wieneke, City Engineer Scott Pottorff and Clerk-Administrator Aaron Anderson.

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

Clerk-Administrator Anderson reported a LOST payment of \$16,528.50 was wrongly applied to the Road Use fund, and RUST payment of \$11,299.59 wrongly applied to LOST fund in FY 2013-14. He reported corrected Treasurer's Reports are presented in the Consent Agenda.

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

- Agenda, as presented.
- Minutes of the September 8, 2014 regular meeting.
- Revised Treasurer's Report for the period ended June 30, 2014
- Revised Treasurer's Report for the period ended July 31, 2014
- Revised Treasurers Report for the period ended August 31, 2014.
- Treasurer's Report for the period ended September 30, 2014
- Bills Payable for October 2014 totaling \$184,138.56.

Motion carried – 3 to 0.

Treasurer's Report (summary) for the period ended September 30, 2014

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 28,050.23	\$ 123,910.23		\$ 596,722.25
Road Use	14,163.21	14,911.72		17,100.19
L O S T	18,082.70			201,171.99
TIF Fund				60,325.16
Debt Service				8,037.95
Other Projects		106,190.14		1,009,764.37
Library Project				-64.23
Way Point Sign				-25,589.89
North End Infra				-28,589.93
Water Utility	18,918.05	18,754.55		306,126.71
Water/Sewer Reserve	5,888.34			132,689.78
Sewer Utility	27,691.31	24,241.48		57,697.42
Sewer Debt Service	11,788.34			53,509.52
Sanitary Utility	7,595.21	6,101.34		34,148.74
Storm Water	42.00			354.80
Farmers Market				1,220.76
PR Clearing	12,608.54	11,393.47		3,084.46
Totals	\$ 144,828.42	\$ 305,502.93		\$ 2,432,830.68

**Communications.** Library Director Sarah Sellon presented a report on activities at the Ely Public Library. Mayor and City Council members discussed communication received from Mary Ballantyne regarding problems associated with fireworks set off by individuals, and unsanctioned fireworks displays. Bill Grove noted his granddaughter got married during Fall Fest weekend.

Linn County Deputy LaVere distributed the monthly Sheriff's Office Activity Report. Bill Grove stated he believes legal action should be taken against the youth or youths vandalizing new playground equipment and sidewalks at Ely City Park.

**Citizen Requests.** Rob Smith spoke with the Mayor and City Council on behalf of St. John's Lutheran Church, and reported they aim to be in the new sanctuary for Christmas, 2014. Mr. Smith requested the City Council authorize the City Engineer work with St. John's civil engineer regarding new sidewalk on the south and west side of the church after the addition. Mr. Smith noted they currently plan to install 8-foot wide sidewalks along Rowley Street on the south of the addition, and new 5-foot wide sidewalks along Walker Street. He noted that they intend to install the sidewalks before the end of the 2014 outdoor construction season, and they are considering making diagonal parking along Rowley Street possible. Mr. Smith reported representatives of St. John's Lutheran Church seek a separate meeting with the Mayor and City Council to discuss the city's long term plans for Walker Street and Rowley Street in the vicinity of the church. Mayor Doyle asked them to either communicate the request in writing or via email, and to coordinate with the Clerk-Administrator. City Council consensus was to allow City Engineer Scott Pottorff to work with St. John's consultants or staff in regard to sidewalks and similar matters.

Keith Schulte stated he is concerned that the engineering/survey stakes set for the Banner Valley Road re-grade project are either not correct or not for the road elevation profile that would result in following the 1999 Hall & Hall preliminary improvements plan. City Engineer Pottorff reported the engineering/survey stakes are for the elevation profile of the 1999 Hall & Hall design proposal. Mayor and City Council discussed this matter noting that it is critical to for the result of the project to be as proposed and directed Mr. Pottorff to confirm the stakes are correct. Council member Stephanie Mehmen arrived during this discussion.

### **Commercial Building Code**

**Presentation and Discussion re: Commercial Building Code, Linn County Building Inspection Division.** Les Beck, Director of Linn County Planning and Development, introduced Linn County building inspectors Paul Rohlwig, Luke Maloney and Andrew Malesino. Mr. Beck reported plan review for new single to two-family residential construction would be a flat rate of one-hour, and five hours for commercial and special projects. He suggested Ely adopt the Electrical Code, which would enable Linn County to enforce and perform inspections rather than working through the State of Iowa. Mayor and City Council discussed with Mr. Beck, Mr. Rohlwig, Mr. Maloney and Mr. Malesino; including adding retrofit and remodel projects to work to be inspected and adopting the new electrical code in 2015.

**Ely City Park Improvements Project.**

**Project Status Report.** Clerk-Administrator Anderson reported masonry work to erect the CMU walls was underway. He noted reports of damage to playground equipment and similar matters that were already discussed during the Sheriff's Office report.

**Application for Payment No. 3, Seydel Construction.** Ballantyne moved to approve Partial Payment No. 3 to Seydel Construction for the amount of \$14,138.87 under the Ely City Park Improvement project, second by Mehmen. Motion carried – 4 to 0.

**Downtown Main Street Parking Lot Project**

**Project Status Report.** City Engineer Scott Pottorff reported the light posts will not be delivered until mid-November, two panels of sidewalk need to be replaced, and seeding is not finished. Council member Grove temporarily left the meeting during this discussion.

**Construction Progress Payment No. 3 – Metro Pavers, Inc.** Ballantyne moved to approve Construction Progress Payment No. 3 from Metro Pavers, Inc. in the amount of \$19,134.66 under the Downtown Main Street Parking Lot project contract, second by Hale. Motion carried – 3 to 0; Grove absent.

**Linn County Highway Department Ely Road White Topping Project**

Council member Grove returned to the meeting.

**Update Report – Culvert Capacity.** City Engineer Scott Pottorff reported Linn County Engineering provided more information regarding drainage area of the 36-inch diameter culvert at the very south end of 1070 State Street. He noted Linn County stated it appears the house was built on or over the existing drainage area, and the culvert is adequate for current and reasonably expected future uses. Mr. Pottorff stated he recommends concurring with Linn County to replace with the same diameter.

Mr. Pottorff reported he reviewed the design information for the culvert to convey Banner Valley Creek under State Street that Linn County Engineering provided. He noted Linn County Secondary Roads design is based on conveying a 50-year rain event; and that replacing the existing culvert with one of the same size appears to meet that standard. Mr. Pottorff reported increasing the size of the culvert to 12-feet by 8-feet would result in conveyance capacity slightly less than a 100-year event, and that twin 8-foot square culverts appear to result in capacity for greater than the 100-year event. He noted that cleaning the culvert and the discharge area will also functionally increase the amount of water conveyed. Clerk-Administrator Anderson reported the proceeds of the 2014 GO issue are inadequate for the cost of the larger culverts and all the other work to be paid for with this money

Mayor and City Council discussed both of the items, noting the importance of making sure residents and property are safe and the estimated cost of each option. Consensus was to defer the Northgate Drive extension project, pursue the 12-foot by 8-foot culvert and direct the City Engineer to research both expanded culvert options.

**Extension of Hoover Trail from Ely City Park to Ely Community Center, 1570 Rowley St.**

**Review Proposed “Check Plans”, Scott Pottorff City Engineer.** Scott Pottorff reviewed proposed “check” plans to extend the Hoover Trail from Ely City Park to the Community Center with the Mayor and City Council. Mr. Pottorff noted the plans are consistent with previous meetings, including matching up the trail with the Fire Department driveway.

**Approve “Check Plans” and Authorize Submitting Plans to IDOT for January 2015 Bid Letting.** Hale moved to approve “Check Plans” and authorize submitting plans to extend the Hoover Trail from Ely City Park to the Community Center to the Iowa DOT for January 2015 bid letting, second by Grove. Motion carried – 4 to 0.

**Storm Water Management**

**Rain Barrel Incentive Program.** Hale moved to authorize the City Clerk/Administrator to further develop a program to offer rain barrels to Ely homeowners at one-half the purchase cost; second by Mehmeh. Motion carried – 4 to 0.

**Report re: Forming a Watershed Management Authority.** Clerk/Administrator Anderson presented a report regarding statutory watershed management authorities and challenges associated with creating one for the Hoosier Creek watershed area.

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

**Response and Action Plan to IDNR re: Ely Water Supply Sanitary Survey.** Hale moved to approve the City of Ely’s response to the IDNR and action plan re: the 2014 Ely Water Supply Sanitary Survey, second by Grove. Motion carried – 4 to 0.

**Authorize Request to Review and Update Shared Road Maintenance Agreement w/Linn County.** Grove moved to authorize the Public Works Director and City Administrator to work with Linn County Engineering/Secondary Roads to update the shared road maintenance agreement; second by Ballantyne. Motion carried – 4 to 0.

**Administrative, Personnel and Staffing**

**Accept Quote to Replace Furnace Unit.** City Administrator Anderson reported the furnace for the kitchen and east side of the lower level of the Community Center no longer works because the air-exchange is broken. Mr. Anderson reported he solicited quotes to replace the furnace, with alternate to improve air distribution; and received the following quotes:

<b>Firm</b>	<b>Base Quote</b>	<b>Alternate</b>
Lins Heating & Air Conditioning, Cedar Rapids, IA	\$2,355	\$250
Colony Heating and Air Conditioning, Cedar Rapids, IA	\$3,750	Included in quote
Colony Heating and Air Conditioning, Cedar Rapids, IA	\$3,450	Included in quote
Colony Heating and Air Conditioning, Cedar Rapids, IA	\$3,200	Included in quote
Prime Mechanical, Inc. Ely, IA	\$11,840	Included in quote

Hale moved to accept the base quote and alternate totaling \$2,605.00 from Lin's Heating and Air Conditioning, second by Grove. Motion carried – 4 to 0.

**Authorize Interim Hire for Community Center Janitorial Position.** Ballantyne authorized the City Clerk/Administrator to fill the janitorial position for the Community Center on an interim basis at starting wage of \$12.09/hour, subject to approval by City Council at the November 10, 2014 City Council meeting; second by Hale. Motion carried – 4 to 0. Mr. Anderson will distribute list of applicants to City Council members.

**Discuss Draft Ordinance re: Special Events.** Mayor and City Council discussed the updated draft of an ordinance re: special events and expressed preference for the following changes:

- Add that the special event sponsor is to contact businesses in the special event area regarding the proposed event including date, time, type of event and proposed entertainment.
- Delete the draft provisions re: temporary restriction on home occupations and temporary businesses, and replace with provision stating that vendors or temporary businesses will not be allowed if not approved by the special event sponsor for events sponsored by the City or a board, commission or agency of the city.

Clerk-Administrator was directed to revise the draft and report back to City Council at the November 10, 2014 meeting.

### **Discussion Items**

Grove moved to adjourn, second by Hale; motion carried – 4 to 0. The meeting adjourned at 9:36 p.m.

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James E. Doyle Jr., Mayor

Attest:

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Aaron Anderson, Clerk/Administrator