

**ELY CITY COUNCIL
REGULAR MEETING
NOVEMBER 10, 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. Dave Rasmussen arrived during the meeting and Stephanie Mehmen was absent-excused. Also present: Jim Miller, Marie Miller, Marv Peters, Jamie Schurbon, Keith Schulte, Katie Jo Bruhn, Jeff Hilleman, Sarah Sellon, Don Scott, City Engineer Scott Pottorff and Clerk-Administrator Aaron Anderson.

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

Mayor Doyle recognized Marv Peters to introduce a veteran from Ely for recognition. Mr. Peters introduced Rob Smith to the Ely City Council, reporting that Mr. Smith served in the air cavalry of the US Army from 1982-1985 and during that time Mr. Smith was deployed to Panama and on Operation Fury in Grenada. Mr. Peters noted that Mr. Smith served in the Army Reserves from 1984-94, and is currently the president of Fiber Utility Networks. Mayor Doyle and the City Council recognized Mr. Smith and stated their appreciation for his service to the nation.

Clerk-Administrator Anderson reported a \$1,000.60 property tax payment from Linn County of was wrongly applied to the TIF fund instead of General Fund; and a \$137.06 TIF payment from Linn County incorrectly applied to the General Fund instead of the TIF 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 October 13, 2014 regular meeting.
- Revised Treasurer's Report for the period ended June 30, 2014
- Treasurer's Report for the period ended October 31, 2014
- Bills Payable for November 2014 totaling \$179,551.78

Motion carried – 3 to 0.

Treasurer's Report (summary) for the period ended October 31, 2014

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 199,999.51	\$ 82,706.07		\$ 714,015.69
Road Use	19,669.46	11,574.02		25,195.63
L O S T	15,714.36			216,886.35
TIF Fund	84,337.93			144,663.09
Debt Service				8,037.95
Other Projects		87,812.40		921,951.97
Library Project				-64.23
Way Point Sign		12.81		-25,065.70
North End Infra				-25,589.93
Water Utility	16,234.01	21,082.06		298,278.66
Water/Sewer Reserve	5,888.34			138,578.12

Sewer Utility	28,030.38	25,258.82		60,468.98
Sewer Debt Service	11,788.34			65,297.86
Sanitary Utility	6,036.61	7,410.87		32,774.48
Storm Water	50.33			405.13
Farmers Market				1,220.76
PR Clearing	18,471.01	15,118.32		6,437.15
Totals	\$ 403,220.28	\$ 250,975.37		\$ 2,583,491.96

Communications. Library Director Sarah Sellon presented a report on activities at the Ely Public Library. Linn County Deputy Egli distributed the monthly Sheriff's Office Activity Report, and discussed recent youth difficulties with the Mayor and City Council.

Citizen Requests. Kay Hale reported the cracks in street on Hillside Drive. Bill Grove reminded staff to work on the manholes in Southbrook.

St. John Lutheran Church Expansion

Request to Participate in Adding Diagonal Parking on the North Side of Rowley Street, Wider Sidewalks on Walker and Rowley Streets and Install a Sidewalk with Integral Curb Adjacent to the Alley. Mayor Doyle reported St. John Lutheran Church seeks to install diagonal parking in the City right of way on the north side of Rowley Street adjacent to their property, and then recognized Rob Smith, representing St. John Lutheran. Mr. Smith reported the church expects to pay \$18,000 for parking and sidewalk related site work and installing an asphalt surfaced parking area will cost another \$24,000 and that St. John Lutheran will be pleased if Ely helps pay.

Mayor Doyle and City Council members discussed the matter with Mr. Smith; including St John's preference to install 5-ft wide sidewalk along Main Street and 8-ft wide sidewalk along Rowley, a 3-ft wide sidewalk along the alley, their preference for installing integral curb, the benefit to Ely's residents and the community to increase parking in the area; benefit for the downtown area and that the proposed wide sidewalks are likely eligible for Ely's sidewalk construction and repair program.

Ballantyne moved for the City of Ely to reimburse St. John Lutheran up to \$14,735.00 for the installation of diagonal parking on the north side of Rowley Street, and that the proposed wide sidewalks are eligible for the Ely Sidewalk program; second by Hale. Motion carried – 3 to 0.

Ely City Park Improvements Project.

Project Status Report. Clerk-Administrator Anderson reported beams and decking for the roof are in place, and that internal walls have been painted, with Jeff Hilleman noting the painter had to re-paint over black spackle.

Application for Payment No. 4, Seydel Construction. Ballantyne moved to approve Partial Payment No. 4 to Seydel Construction for the amount of \$89,558.68 under the Ely City Park Improvement project, second by Hale. Motion carried – 3 to 0.

Council member Dave Rasmussen arrived.

Linn County Highway Department Ely Road White Topping Project

Report re: Box Culvert Conveying Banner Valley Creek. City Engineer Scott Pottorff reported storm water from a 100-year event would not be higher than the lowest building opening in the immediate area if the existing 10' x 8' box culvert is replaced by a 12' x 8' box culvert, and that storm water from a 100-year event would be one-foot below the lowest building entry if the existing culvert is replaced by dual 8'x8' box culverts. Mr. Pottorff reported he recommends replacing the existing 10' x 8' box culvert with a 12' x 8' box culvert. Mayor and City Council discussed the matter; including that the larger culvert will improve flow of storm water, provides more protection than existing conditions for Ely residents and their property, and that homeowners can bolster their situation by installing window wells and similar actions.

Ballantyne moved to replace the existing 10' x 8' box culvert that conveys Banner Valley Creek under State Street/Ely Road with a 12' x 8' box culvert, second by Hale. Motion carried – 4 to 0.

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

Resolution No. 14-1110-50, Amending Project Agreement with IDOT. Mayor Doyle reported this resolution approves amending the grant agreement with IDOT to increase the amount of the grant by \$700, to a total of \$199,700. Hale moved to approve Resolution No. 14-1110-50, second by Grove.

Aye: Grove, Hale, Rasmussen, Ballantyne

Nay: None

Absent: Mehmen

Mayor Doyle declared the motion carried and resolution approved – 4 to 0.

Hoover Trail

Resolution No. 14-0110-51, Approving Hoover Trail Snow Removal Agreement. Clerk-Administrator Anderson reported Cedar Rapids Parks/Trails department is not willing to remove snow from the Hoover Trail further south than 76th Avenue, that Linn County Conservation is not amenable to perform snow removal from 76th Avenue to Ely City Park, and that Linn County Conservation will allow Ely, or other cities, to remove snow from trails on their system subject to an agreement that adequately indemnifies the County. Mr. Anderson presented a draft agreement for Ely to remove snow but not perform ice removal for the segment of the Hoover Trail from Ely City Park to Ely Road/State Street. Mayor and City Council discussed; including liability concerns, benefit to Ely residents, and to have snow removal end at the east side of Ely Road.

Rasmussen moved to approve Resolution No. 14-1110-51, Approving Hoover Trail Snow Removal Agreement, second by Ballantyne.

Aye: Grove, Hale, Rasmussen, Ballantyne

Nay: None

Absent: Mehmen

Mayor Doyle declared the motion carried and resolution approved – 4 to 0.

City of Ely Policy re: Removal of Snow on Hoover Trail. Hale, second by Rasmussen, moved the City of Ely policy regarding priority and scheduling of snow removal will be as follows:

1. Snow removal operations on traffic portions of city streets.
2. Sidewalks and parking areas for which Ely is responsible, accumulations along sidewalks for which Ely is responsible and at intersections widened and cleared of snow.
3. Remove snow on Hoover Trail. Ely will not apply salt/sand or perform other ice removal operations.

Motion carried – 4 to 0.

Tree Ordinance

Review and Discuss Tree Trimming Requirements, Enforcement and Penalty. Bill Grove reported concerns that too many trees overhanging sidewalks and streets are not trimmed to the height set out in the city's ordinance. Mayor and City Council discussed the matter, including that too many branches hang too close to sidewalks and streets, and process for directing property owners to trim their trees. The consensus was to follow the following process with residents to report problems with branches that overhang sidewalks and public works to check those that overhang streets:

- Friendly letter to advise property owner of trees that need trimmed, and to have it done within 14 days.
- Follow up to verify if work was done by the date specified.
- Formal notice to trim trees within five days or Ely will perform the work and bill the property owner for the cost.

Public Works – Streets, Water, Sewer & Equipment.

Shouldering on Banner Valley Road. Clerk-Administrator Anderson reported the re-grade and resurface work on Banner Valley Road resulted in the road surface of a segment west of the creek to be notably higher than the adjoining area and a fairly sheer drop-off. City Engineer Scott Pottorff noted he should have anticipated this result, and that a shoulder area would address traffic safety concerns. Mr. Pottorff reported a quote from LL Pelling to install a machined shoulder in the affected area for \$16,200.00. Ballantyne moved to accept the quote to install machined shoulder along a segment of Banner Valley Road for \$16,200; second by Hale. Motion carried – 4 to 0.

Report re: Demolition of Knoll Court Water Tower. Mayor Doyle reported Kosinski Demolition dismantled and removed the “old” Knoll Court water tower; and that Public Works Director Stark reports Ely still needs to fill the former control pit which he recommends doing in conjunction with the Highland Road resurfacing project in the spring. Mayor and City Council discussed options to dispose of the lot; Mr. Anderson noted the lot is non-conforming and may not be built on. Consensus is that preferred method is to publish notice of intent to accept sealed bids for the lot noting it is non-conforming and may not be built on, communicate such to the two adjoining property owners, and to assure a utility easement to the Tjelmeland property.

Quote to Repair Transmission of 1992 Dodge D-250. Ballantyne moved to accept the quote from Kevin's Transmission, Cedar Rapids, to rebuild the transmission of the 1992 Dodge D-250 for no more than \$1,800 with a 1-year/12,000 mile warranty for the work, second by Grove. Motion carried – 4 to 0.

Resolution No. 14-1110-52, Approving Shared Road Maintenance and Snow & Ice Control Agreement w/Linn County. Mayor Doyle reported this resolution approves an updated agreement with Linn County Secondary Roads for maintenance and snow & ice control for road segments that Ely and Linn County share jurisdiction. He noted the proposed agreement includes that Ely will not perform routine maintenance on Vista Road west of Ely city limits. Ballantyne moved to approve Resolution No. 14-1110-52, second by Hale.

Aye: Grove, Hale, Rasmussen, Ballantyne

Nay: None

Absent: Mehmeh

Mayor Doyle declared the motion carried and resolution approved - 4 to 0.

Administrative, Personnel and Staffing

Report re: Employee Life Insurance Benefit. Clerk-Administrator Anderson reported a lapse regarding employee life insurance benefit will be rectified by the December meeting.

Confirm Hire for Community Center Janitorial Position. Grove moved to approve hiring Jennifer Hawks to the janitorial position for the Community Center at starting wage of \$12.09/hour. Motion carried – 4 to 0.

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

- Add “public entities” to entities the event host is to notify.
- Revise so music is to end by 11:00 p.m. unless City Council authorizes a later time.

Schedule Public Hearing re: Special Events Ordinance. Grove moved to schedule a public hearing regarding the proposed ordinance re: special events for 7:00 p.m. Monday December 8, 2014, second by Hale. Motion carried – 4 to 0.

Report re: Budget Matters – Pending or Likely Amendment Requests. Clerk/Administrator Anderson reported on pending or likely requests to amend the current year budget.

Annual Financial Report for FY 2013-14. Grove moved to approve the FY 2013-14 Annual Financial Report, second by Rasmussen. Motion carried – 4 to 0.

Annual Urban Renewal Report for FY 2013-14. Hale moved to approve the Annual Urban Renewal Report for FY 2013-14, second by Rasmussen. Motion carried – 4 to 0.

Annual Tax Increment Finance Certification for FY 2015-16. Mayor Doyle reported the Annual TIF Certification includes a request for \$213,474 in tax increment finance proceeds for TIF certified debt payments due during FY 2015-16. Ballantyne moved to approve the Annual Tax Increment Finance Certification for FY 2015-16, second by Hale. Motion carried – 4 to 0.

Discussion Items

Hale moved to adjourn, second Grove; motion carried – 4 to 0. The meeting adjourned at 9:19 p.m.

James E. Doyle Jr., Mayor

Attest:

Aaron Anderson, Clerk/Administrator