

**ELY CITY COUNCIL
REGULAR MEETING
NOVEMBER 12, 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, and Bob Ballantyne; Dave Rasmussen arrived during the meeting. Also present: Marv Peters, Glen Klinsky, Carrie Kimm, Randy Rohner, Anna Trohs, Rich & Pam Tuly, Tom Rohner, Casey Becker, Haley Meyer, Sara Stevenson, Britney Lash, Don Scott, Jim Miller, 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 introduced Marv Peters, commander of the Ely American Legion. Mr. Peters introduced Glen Klinsky; Mr. Klinsky's WWII army service including Mr. Klinsky's role in assisting veterans transition back to civilian life after the war; and that Mr. Klinsky has been an active member of the American Legion for 65 years. Mayor Doyle and the members of the City Council thanked Mr. Klinsky for his service to our nation.

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

- Agenda
- Minutes of the October 8, 2012 regular City Council meeting
- Treasurers Report for the period ended October 31, 2012.
- Bills Payable for November 2012 totaling \$95,012.46

Motion carried – 4 to 0.

Treasurer's Report (summary) for the period ended October 31, 2012

	Receipts	Disbursements	Transfers	Ending Balance
General	\$ 197,758.26	\$ 30,711.11		\$ 685,659.33
Road Use	13,719.86	8,746.94		72,777.81
L O S T	18,097.16			184,042.71
TIF Fund	76,456.72			184,199.04
Debt Service				7,871.87
Other Projects		496.00		93,225.36
Library Project				-9,106.23
Way Point Sign				-14,405.79
North End Infra				-28,589.93
Water Utility	18,436.42	15,534.21		324,453.04
Water/Sewer Reserve				50,130.59
Sewer Utility	25,341.68	11,640.69		131,797.39
Sewer Debt Service				-120,126.19
Sanitary Utility	6,449.74	5,956.37		41,050.87
Farmers Market				900.01
PR Clearing	9,757.75	11,934.10		896.34
Totals	\$ 362,017.59	\$ 85,019.42		\$ 1,612,776.22

Communications. Deputy presented the Sheriff's Office Monthly Activity Report.

City Council member Dave Rasmussen arrived.

Citizen Requests. Jim Miller reported kids breaking windshield wipers off cars Sunday night, November 7, 2012.

Carrie Kimm reported ongoing concern that her neighbor, Melissa Sharapova, still has chickens on her property and noted that Ms Sharapova dumped feces in a pile by their shared fence the previous week. Mayor Doyle noted the P&Z is reviewing Ely's ordinance and the City Council is waiting for their recommendation on the matter.

Odie's Request for Street Dance – Saturday May 11, 2013. Tom Rohner requested authorization to hold a street dance on Dows Street in front of Odie's, 1650 Dows Street, on Saturday May 11, 2013; the street dance would include closing Dows Street in front of 1650 Dows Street and authorizing sale of liquor in the area. Mr. Rohner stated he requests the street to be closed from noon through midnight, Saturday May 11, 2013; Odie's expects to have four live bands if the City Council authorizes closing the street at noon. He stated music will start at 1:00 p.m. and end at 11:30 p.m., if approved; and that Odie's will provide portable restrooms, additional security, make sure the sidewalk remains open and operate the dance similar to past years.

Authorize Closing Dows Street from Alley East of Walker to Main Street from Noon to Midnight May 11, 2013. Grove, second by Rasmussen, moved to authorize closing Dows Street from the alley east of Walker to Main Street from noon to midnight Saturday May 11, 2013 subject to the following:

- sidewalk traffic not be obstructed to non-participants during the event
- Odie's is responsible for all clean up of the closed segment of street and sidewalk
- Odie's is to provide at least four portable restrooms on their property.
- The closed area of the street is to be cleaned and open to traffic by 7:00 a.m. the following morning.

Motion carried – 5 to 0.

Request for Temporary Outdoor Alcohol Serving Area, Class C Liquor Permit. Stanek moved to approve a request for temporary outdoor service area for Odie's Class C Liquor permit on May 11, 2013; per the request for street dance and subject to independent approval by Iowa Alcoholic Beverages Division; second by Grove. Motion carried – 5 to 0.

Nuisance and Dangerous Buildings

Hearing re: Notice to Abate Nuisance Conditions at 1960 Dows Street. City Administrator Anderson reported notice of nuisance conditions was sent to the owners of 1960 Dows Street regarding accumulation of full garbage bags behind the back door of the property. Mr. Anderson reported the trash bags were removed per the notice to abate.

2012 City Park Utilities Project

Resolution No. 12-1112-41, Approving Change Order No. 1 to Contract for City Park Utilities Project. City Engineer Scott Pottorff reported Change Order No. 1 to the contract with Kelly Demolition and Excavation is related to installing additional 8" sanitary sewer main via directional bore due to a stub of main that was incorrectly marked as 8" diameter, to

avoid conflicts with Northgate Drive and driveways and to minimize disruption to area residents. Mr. Pottorff reported the change order would increase the cost of the contract by \$4,669.40. Stanek moved to approve Resolution No. 12-1112-41, second by Ballantyne.

Aye: Ballantyne, Rasmussen, Hale, Grove, Stanek

Nay: None

Absent: None

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

Payment Request No. 1, Kelly Demolition & Excavating. Stanek moved to approve Payment Request No. 1 for the amount of \$46,326.29 to Kelly Demolition & Excavating for work performed under the contract for the 2012 City Park Utilities project; second by Ballantyne. Motion carried – 5 to 0.

Discuss Options re: Installation of Electric Service to Ely City Park. Mayor and City Council discussed dissatisfaction with the location of the electric service line installed in Ely City Park, and any options to remedy the situation. The matter will be explored and discussed further in December.

2011 Water Tower Improvements Project

Resolution No. 12-1008-38, Accepting Quote for Demolition of Existing Water Tower at 1671 Knoll Court. Mayor Doyle reported Kosinski Demolition renewed their Iowa Contractor Registration and all other items are complete to accept their quote as low cost quote to demolish the water tower on Knoll Court. Stanek moved to approve Resolution No. 12-1008-38; 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. 12-1112-41, Accepting Change Order No. 1 to Contract with Kelly Demolition & Excavation. City Engineer Pottorff reported this change order is for removal of a fire hydrant from a resident yard that became redundant by installation of a fire hydrant as part of this project, and increases the contract value \$535.00. Grove moved to approve Resolution No. 12-1112-41; 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.

Resolution No. 12-1112-42, Accepting Change Order No. 2 to Contract with Kelly Demolition & Excavation. City Engineer Pottorff reported this change order is for additional labor and materials for Kelly Demolition to drain the water from the Knoll Court water tower per Public Works Director Ron Stark's recommendation, and increases the contract value 3,520.00. Stanek moved to approve Resolution No. 12-1112-42; second by Ballantyne.

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

Report re: Storm Water Control Fuhrmeister Street between Walker and State Streets. City Engineer Scott Pottorff presented a report regarding storm water control in the general area of the intersection of State and Fuhrmeister Streets. Mayor and City Council discussed the report with Mr. Pottorff, including what constitutes a five-year rain event, preference for a long term solution and integration of storm water control measures with a State Street upgrade project. It was the consensus of Mayor and City Council to include a solution storm water management solution designed for at least a five-year rain event with discussions for State Street improvements.

Report re: Sanitary Sewer Manholes - Southbrook and Other Locations. City Engineer Pottorff and City Council discussed sanitary sewer manholes that have risen above street level, causes and options to resolve the situation. General consensus is to identify and locations where manholes extend noticeably above street level, prioritize condition and location and establish an annual repair program.

Temporary Seasonal Closing of Segments of Sunrise Drive, Fieldcrest Lane and Ridgeview Drive. Stanek, second by Hale, moved to temporarily close the following streets or segments of streets from November 15, 2012 through March 30, 2013:

- Sunrise Drive – from south edge of Eastland Lane south to terminus
- Fieldcrest Lane – from southwest edge of Eastland Lane southwest to terminus
- Ridgeview Drive – Entire street

Motion carried – 5 to 0.

Administrative, Personnel and Staffing

Annual Financial Report for FY 2011-12; Annual Urban Renewal Report for FY 2011-12; Annual Tax Increment Finance Certification for FY 2013-14. Stanek moved to approve the Annual Financial Report for FY 2011-12, Annual Urban Renewal Report for FY 2011-12 and Annual Tax Increment Finance Certification for FY 2013-14; second by Hale. Motion carried – 5 to 0.

Discuss Budget Preparations – FY 2013-14. Mayor and City Council discussed FY 2013-14 budget preparation including residential rollback percentage and items to include for consideration in the budget.

Hale moved to adjourn, second by Stanek; motion carried – 5 to 0. The meeting adjourned at 8:24 p.m.

James E. Doyle Jr., Mayor

Attest: _____
Aaron Anderson, Clerk/Administrator