

**ELY CITY COUNCIL
REGULAR MEETING
NOVEMBER 14, 2016
ELY CITY COUNCIL CHAMBERS**

Mayor Eldy Miller called the meeting to order at 7:03 p.m. Council members present: Teri Billick, Stephanie Mehmen, Kay Hale, Judy Wery and Elizabeth Rohner. Also present Staff and Guests: Luanne Miller, Secretary, Jim Miller, Glenn & Fran Buresh, Tammy Bryant, Tom Reed, Dan and Shauna Whitaker, Alan Wery, City Engineer Scott Pottorff, Deputy Todd Egli, Butch Wieneke.

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 October 10, 2016 regular meeting.
- Minutes of October 25, 2016 Special Meeting.
- Minutes of November 3, 2016 Special Meeting
- Treasurer's Report for the period ended October 31, 2016.
Motion carried – 5 to 0
- Bills Payable for November, 2016 totaling 131,875.29.
Motion by Mehmen, second by Hale approving Bills Payable
Motion carried – 5 to 0.

Communications. Mayor Miller announced that Chet Hendrickson has submitted his letter of resignation to step down after 20 years as the Planning and Zoning Commission Chair and is effective as of November 30, 2016. Bob Mreen has agreed to step up and take his place. Sheriff's Report - Linn County Deputy Egli presented the Sheriff's Office Activity Report. There has been another round of car break-ins most of those being into unlocked cars. He suggested removing bags, backpacks and anything within site that would tempt the intruder. He also mentioned many deer vs. car incidents recently. Library Director Sarah Sellon reported on activities at the Ely Public Library. Nothing new on CCREC Com. No one present from Parks & Recreation and no reports. Mayor Miller deferred the New Ely Website Marketing Plan to be discussed later.

Citizen Requests. Tammy Bryant of Cloud 9 Massage & Spa addressed city council regarding an event some of the businesses of Ely are hosting "Winter Fest" They wanted to have a parade but understand they were too late to get it on the agenda for this November council meeting. They hope to make this an annual event to help draw people to their businesses in the winter. They want to do horse drawn carriage/sleigh rides, parade, carolers, etc. She was hoping to get help from the City to promote it. It will be held Saturday, December 17. Asked if the City would help pay for live reindeer. 2 hours at \$175/hr; scavenger hunt to get the people through their businesses. Council Mehmen mention that paying for marketing for some business but not encompassing all isn't fair to those other businesses. Currently this is no economic group but encouraging they are willing to work together. It is a community challenge to get volunteers as Fall Fest is having a hard time. Encouraged them to create an EDGE-like commission. They are going in the right direction and starting small letting it grow every year and maybe someday it can and will be a City event. Tom Reed of The Downtown Dachshund spoke up that he misunderstood relationship between businesses and city. Doing a 1-day event hot cocoa, cookies

, etc. Discussion of Road Closing falls on the city for insurance and encouraged them to reach out to Hilleman and Mai on how the Parks and Recreation started the Fall Fest. As the event grows, create a budget. Fiscal year is July 1 through June 30th and budget work starts in March. City could put something in the NoJoCo for December for their one day event.

Smart Rural Community with Dan Swick at Southslope, has been rescheduled for December Meeting with Aaron Votroubek, South Slope Business Communications Consultant.

Tom Reed is currently working with Swisher, Shueyville on the Shop Small Businesses on November 26th and asked us to share on social media. Jim Miller asked if Ely Community Center available for Horseman's Club monthly Meetings during winter months. 2nd Wednesday of the month. Yes, contact City Hall to get it on the calendar.

Business Item D1 Buresh Estates Final Plat. Scott Pottorff of MMS did punch list of items needed to be cleaned up before approval. Handful of items open. The Buresh are concerned with it getting late in fall and going into winter; asked if letter of credit, etc. would be ok. Developer's agreement can provide access to money for improvement, a way to approve final plat before winter. Worked through agreement, a few things to bond may be required. City has the right to access the funds. The thought process was \$500 for seeding \$500 grading remainder for of \$5,000 would cover. Mehmen questioned letter dated the 19th on item #1 why wasn't the plans followed to approved plat. Pottorff explained the wetlands area detention basin didn't have topography information. Pottorff and Stark walked the lot. As it is, it will perform much better as is rather than tearing out the existing grasses. There were fewer problems to let it run into wetlands and trees than if running into detention basin. Their Wetland expert brought to their attention. Survey of area was done, Pottorff agree leaving it alone would end up with a much better out come. Mehmen asked when the revised amended plans available. Scott said we have a written agreement and that we would just express it here at meeting, but if we need it. Take Pottorff notes and what he talked about here and add it to the file so we know 10 years down the road why and what happened. Get Pottorff explanation - Shape of basins may change a little bit, some dirt worked to reshape basin additional calculations needed with the reshaped basin and why it was done, etc. As-built constructions plans. Make a motion, before this letter of credit is released. Work in the basin doesn't affect the buildable areas/easement areas. Pottorff said at P & Z meeting I saw it didn't match and no building is allowed any way. Question poised if storm drain need to be cleaned out and it had been done. Storm sewer NE basin will hold the water for now. Mr. Buresh mentioned disturbing the grass areas now will have wash out; it is already established grass area. Does ditch need to be cleaned, yes south side of Jappa is cleaned out per Mr. Buresh. Mr. Buresh spoke with Mike Brain is concerned with item #1. Install before July 1, 2017. With situation applies only to the NE basin borders #8 & #9 lots. They have had some potential building interest. Pottorff said in cost of installation exceeds the amount of the letter, we think we have it covered, we don't know. If something happens, they are gone and city has to complete the job a lien against all the lots not just the two lots affected by that basin. Access all the lots the potential buyers would be stuck with the lien off the bat. Lots could be sold and the work not complete. Compromise issue building permits or have a temporary CO until the work is complete, etc. Motivation is to complete these items. Limit the sale of Lot 8 until it is done. Like the limit of not selling lot #8. Changing Line #1 limit sell of lot #8 and the explanation from Pottorff will add the description of why the plan was changed and what happened to the basin. Pottorff said agreement let of credit Hills Bank, cost estimate, explanation of basin change all recorded.

Resolution 16-1114-39 Approval of Buresh Estates Final Plat Mehmen made the motion to approve the final plat with agreement letter of credit, cost estimate and Scott Pottorff explanation of the basin change,

Motion made by Mehmen, second by Billick

Aye: Rohner, Wery, Mehmen, Billick

Nay: None

Absent/Abstain: Hale

Passed: 4 – 0

Resolution No 16-1114-40 Automatic Door Locks for Park. 1 bid received from Parks & Rec Timed locked for City Park & Schulte Park. Is it an issue? Butch W. noted water is shut off in Winter. Good idea to have someone checking these bathrooms? Have security cameras. Would like to see another bid. How do the locks work? Council also requested a summary/description of the products needed. Would prefer a minimum of 3 bids. Include explanation if 3 bids not available. Item was tabled and a request for more info needs to be sent to the P & R committee. Noted bathrooms are re-opened April 1. Resolution Tabled

Resolution No 16-1114-41 Replacement Park Equipment. Council questioned if we should invest in something sturdier if the current piece was repaired 4 times. Spring Pod Resolution was tabled and council requested from P & R a list of more options to choose from along with pricing **Present Action plan while Ron is out on medical leave.** Temporary hire Jared Vogel to perform water testing. Steve can't do and Gary not certified. One-time deal 22nd 23rd 24th of November while Ron is out on leave. Next round is December 6th-8th. Ron should be back. May need Jared if Ron is not medically cleared. Pay is \$45/hr.

Authorize Temporary Hire for Waste Water Testing, Jared Vogler

Motion made by Mehmen, second by Hale

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Passed: 5 – 0

Authorize Temporary Part-Time Hire of Joe Vavra

Part time help, as needed, during Ron's medical leave. Joe's position will then be limited to snow removal/winter weather help when Ron returns on an as-need part-time basis. Pay is \$12.00/hr.

Motion made by Mehmen, second by Hale

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Passed: 5 – 0

Authorize Emergency Hire for Snow Plowing, Tom Malatek

Snow removal only in an emergency. \$12/hr. rate. He did emergency snow plowing last year.

Motion made by Hale, second by Rohner

Aye: Rohner, Wery, Hale, Billick

Nay: None

Absent/Abstain: Mehmen

Passed: 4 – 0

Master Plan of Action presented while Ron is out on Medical Leave. Gary will report to Luanne and she will check on Gary twice a day. Mayor Miller will be emergency phone number on after hours phone while Luanne is out on November 23rd through November 27th.

Resolution No 16-1114-42, Updated bids for Valve Replacement. This was already approved up to \$18,000 RFQ but didn't include fire hydrant valve. Ron Stark explained in detail. State Street location and 3 valves. Ken-way (\$12,000) original quote didn't include the fire hydrant valve, thought only this one valve needed. 2 valves, extra valve for the fire hydrant. Requested revised quotes back from all the companies. Brecke quote for repairs now lower than Ken-way. Move funds around within water codes to cover this as it needs to be done. How fast able to do it? – Ron said can be done in next few weeks.

Motion made by Wery to approve revised updated bid and award to Brecke, second by Hale

Aye: Rohner, Wery, Hale, Mehmen, Billick
Nay: None
Absent/Abstain: None
Passed: 5 – 0

Resolution No 16-1114-43, Repairs to cracks/damages 2nd truck. Newer truck large plow, cracked around the fenders, need to modify the fender mud flaps cutting down to prevent further damage. Vehicle repair and modify the fender mud flaps up by windshield. It would come out of Vehicle Repair. \$1,512.88. Stephanie asked why aren't we getting more than one bid? Ron noted this is the newer truck and any modified work done on it Not by Truck Company will void the existing warranty even though this work does not fall under the warranty. In other words if the cracks extended beyond a modified mud flap to the body, they would then not cover the repairs to the body, unless they did the modifications to the mud flaps in the first place. They covered body part except the mud flap. Ron is to get warranty in writing for Freightliner to include with the repair.

Motion made by Mehmen, second by Hale

Aye: Rohner, Wery, Hale, Mehmen, Billick
Nay: None
Absent/Abstain: None
Passed: 5 – 0

Resolution No 16-1114-44, Repairs to snow blade assembly 3rd Truck. Oldest truck, red Chevy 1987, blade needs to be fixed. Used as the third option if major storm. Council asked what is the approximate value of the truck? Ron estimated around \$1,000-\$2000 trade-in value. Blade in bad shape. If we would replace this truck he would recommend the City buy used truck. Council requested to get them an idea what the cost of a used truck would be. Asked when this used truck was last used. Per Ron, was used last year. Council tabled until more research on prices of other used trucks could be reviewed versus the cost to repair the blade which was around \$1800.00

Resolution No 16-1114-45, Maintenance Agreement for Auto Doors At City Hall. Council asked for more information for a maintenance agreement for the doors at City Hall. \$150 annual plus \$85/hr labor. City call directed to do Service Call first to fix the opener issue. Council noted that sometimes option to buy service plan and covered the existing door repair. Recommended to do a service call and see if maintenance plan covers. If it covers then suggest moving forward with the agreement.

Job Description for PW Position, 4th Employee. 4th PW position was approved back at the fiscal year budget in July 2016, but was held off on that 4th position to see the need. Job

description used previously dollar amount was \$15/hr position, do we look at incremental raises with getting water certification. City doesn't currently have a backup plan for WWTP water and waste water treatment and PW director will be out for 10+ days for medical reasons. Wery questioned wording. One area says required within 1 year and other says within 18 months., Mayor stated this description was copied from already written description on file. Hale asked what if someone is already certified, what is the pay rate. In research it was not posted in most cities, but what was posted had a big range of like \$14/hrs to \$26/hr. Mayor asked PW Director Stark what it would take to become certified. Ron explained 1 year experience and recommended by PW Director or City Administrator that worker had been in position 1 year. Take test if passed become grade 1. Water distribution test required as well. If you don't pass both, you can't become certified; per State Law. He said no one can pass the test without taking the classes. Very heavy in math, a lot of book reading and studying. Mehmen asked if other towns have more than one person that is waste water certified? If the city is going to invest in classes and person, one idea was to set up agreement must stay certain amount of time in position; otherwise they must pay back the amount. Course is 6 weeks; several days a week; all day classes during the day. Wery asked do we pay them and their hourly wage while in school. City pays for classes and the hourly rate. Mayor stated need to have a backup person. Mayor state then we would want to hire a lower pay scale pay them to go to school and only have them several days of week to perform duties for city. Mehmen believes the city doesn't currently need a certified person, but give them a certain amount of time to become certified 6 week course several days a week. It is a pass/fail classes. Classes gets you prepped for the test. Mayor questioned do we put out for laborer not leaning toward waste water at lower price point, 4th person will help to eliminate the seasonal person; Summer & Winter seasonal person. PW Stark said he as PW Director is responsible for these water tests, not that incoming person, per DNR we don't have to have anyone certified to run the test. Base rate Grade water grade 1 waste. PW Director Stark stated it can be learned it on the job may not need to take test. PW Stark can train someone to do the tests, but it ultimately is PW Director responsibly. Doesn't matter if they are Grade 1, but on grade 2, unless he had a grade 3 to take Stark place, then they would be responsible. Working under Ron for a year, would not need the certification, he can train them. Stark stated he has all the books. Bonus to learn would be good. Post for 4 wks; on the job description, take out the water treatment work right now, general labor, take out water treatment but motivated to learn; required CDL. Ron can train to do testing. Salary base \$15/hr in budget. Getting interview ready for January Meeting. Post to website and the other places such NoJoCo, Gazette, Corridors Careers; Iowa League of Cities and Iowa Association of Utilities. Timeline it is posted for 4 weeks getting interviews and recommendation for the January 2017 meeting, the soonest it can happen. Mayor Miller has researched and some cities didn't post the salary. Make a motion to post job, putting in job description must be willing to work toward water and waste water certification and also do monthly meter readings of all city customers. Salary \$15/hr, potentially more depending on certifications and prior experience.

Motion made by Mehmen, second by Wery

Aye:	Rohner, Wery, Hale, Mehmen, Billick
Nay:	None
Absent/Abstain:	None
Passed:	5 – 0

Authorize Posting Position to Hire Public Works Laborer Position. Iowa League – Classifieds, Iowa Association of Municipal Utilities – Careers , Iowa Rural Water Association – Jobs, NoJoCo Classifieds, Gazette/Corridor Careers, City of Ely Website

Motion made by Wery, second by Hale

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Passed: 5 – 0

Annual Tax Increment Finance Certification for FY 2016-2017 – Noted this has to be completed by end of November. Mayor Miller and Luanne will look into sources to help complete. Council agrees with the three areas the funds go to. Just need final numbers.

Annual Urban Renewal Report for FY 2016-2017 – Mayor Miller stated this is something they were unaware of until this week. Luanne is working with contacts at the state of Iowa to get this going; due the end of November.

Discuss Employee Personnel Matter - *Closed Session. Closed session because will be discussing employee medical records.

Motion made to go into closed session by Hale, second by Rohner

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Passed: 5 – 0

Discussion Items End Closed Session

Motion made to come out of closed session by Hale, second by Billick

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Passed: 5 – 0

Open Regular Meeting

Council discussed to terminate employee immediately. Create and mail Letter of Separation.

Motion made to terminate employee by Mehmen, second by Wery

Aye: Rohner, Wery, Hale, Mehmen, Billick

Nay: None

Absent/Abstain: None

Passed: 5 – 0

Hale moved to adjourn, second by Rohner; motion carried – 5 to 0. The meeting adjourned at 9:50 p.m.