

**ELY CITY COUNCIL  
REGULAR MEETING  
DECEMBER 13, 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 Jim Miller, Jim Strother, Tom Rohner, City Engineer Scott Pottorf and Clerk-Administrator Aaron Anderson.

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

- Agenda.
- Minutes of the November 8, 2010 regular City Council meeting.
- Minutes of the November 29, 2010 City Council workshop meeting.
- Treasurers Report for the period ended November 30, 2010.
- Bills Payable for December 2010 totaling \$ 119,493.76
- Renewal of Class C Liquor with Sunday Sales and Outdoor Service Area Privileges – Winks Tap, dba Odie’s, 1650 Dows Street.

Motion carried – 5 to 0.

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

|                     | Receipts      | Disbursements | Transfers | Ending Balance  |
|---------------------|---------------|---------------|-----------|-----------------|
| General             | \$ 32,193.24  | \$ 27,386.85  |           | \$ 599,323.21   |
| Road Use            | 9,607.55      | 7,455.03      |           | 23,254.56       |
| L O S T             | 15,741.15     |               |           | 62,273.68       |
| TIF Fund            | 11,983.59     |               |           | 79,047.29       |
| Debt Service        | 4,361.66      |               |           | 34,479.39       |
| Other Projects      |               | 9,750.00      |           | -74,952.19      |
| Library Project     |               |               |           | 60,608.22       |
| Way Point Sign      | 250.00        | 378.35        |           | 9,051.65        |
| North End Infra     |               |               |           | -28,219.93      |
| Water Utility       | 15,106.36     | 22,139.70     |           | 259,873.16      |
| Water/Sewer Reserve |               |               |           | 100,000.00      |
| Sewer Utility       | 21,563.42     | 12,766.30     |           | 47,238.92       |
| Sewer Debt Service  |               |               |           | -45,245.67      |
| Sanitary Utility    | 4,817.85      | 5,653.09      |           | 44,143.24       |
| Farmers Market      | 141.00        |               |           | 372.00          |
| PR Clearing         | 8,191.34      | 7,426.15      |           | -362.74         |
| Totals              | \$ 121,957.16 | \$ 92,955.57  |           | \$ 1,170,893.89 |

**Communications:** Deputy Johnson of the Linn County Sheriff’s Office presented the Monthly Activity Report. Mayor Doyle summarized other correspondence received.

**Citizen Requests.** None

**Request to Renew Property Tax Exemption under Iowa “Slough Bill”, Jim Miller.** Stanek moved to approve the request from Jim Miller, 1200 Vista Road, Ely, for property tax exemption for the parcel identified as T#1650 in Section 31 of Putnam Township, and more specifically

identified as Linn County PIN 183115200200000, pursuant to the “Slough Bill” as set out in §427.1 State Code of Iowa and recommend approval of same by the Linn County Soil and Water Conservation District, second by Mai. Motion carried – 5 to 0.

**Downtown Area Commercial Building Improvement Incentive Program**

**Partial Release of Incentive Grant as Reimbursement for Portion of Work at 1505 State Street, Dave Rasmussen.** Ballantyne moved to authorize payment of \$1,262.90 to Dave Rasmussen/Rasmussen Properties LLC for work completed to date at 1505 State Street under the Downtown Area Commercial Building Improvement Incentive program, second by Mai. Motion carried – 5 to 0.

**Electric Utility Transmission Franchise Agreement, ITC Midwest, LLC.**

**Schedule Public Hearing re: Ordinance to Approve Franchise Agreement.** Mayor Doyle reported ITC Midwest LLC seeks a franchise with the city of Ely to construct, operate and maintain electric transmission facilities within Ely. Stanek moved to schedule a public hearing regarding a request agreement for electric transmission franchise from ITC Midwest LLC, and an ordinance to enact said franchise agreement for 7:00 p.m. January 10, 2011, second by Hale. Motion carried – 5 to 0.

**Request from Jack and Paul Stewart re: Outlot A, Meadowbrook Addition.** Mayor Doyle reported Jack and Paul Stewart own Outlot A of Meadowbrook Addition, and seek to be allowed to sell the lot as a build-able residential lot. Mr. Doyle noted the property is roughly 5 acres in size, was platted as an Outlot because city water and sanitary sewer were not extended to the property by the developer; he also noted that city water and sanitary sewer are both available less than 150 feet from the property line. Mayor Doyle reported the Plan and Zoning Commission reviewed the request and recommended that the City Council deny the request. Stanek moved to deny the request to allow Outlot A of Meadowbrook Addition to be sold or developed as a build-able residential lot unless city water and sanitary sewer is extended to the property and any residential structure connected to said utilities, second by Grove. Motion carried – 5 to 0.

**Water Tower and Water System Improvements Project.**

**Resolution No. 10-1213-54, Accepting Terms of Easement – Jeremy Johnson.** Mayor Doyle reported this resolution would approve the terms of an access easement with Jeremy Johnson to the City’s water tower site via a shared access off Jappa Road on land owned by Mr. Johnson, subject to the conditions set out in the easement agreement. Stanek moved to approve Resolution No. 10-1213-54, second by Hale.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

**Contract for Davis-Bacon Compliance Services.** City Administrator Anderson reported the Iowa Finance Authority (IFA) notified Ely that IFA determined that contrary to previous policy they will not provide Davis-Bacon prevailing wage law compliance services for the water tower project. Mr. Anderson reported contacting the Eastern Iowa

Council of Governments to perform the services, he noted it seems likely Ely could create and fill a temporary position for the services at lower cost.

**North Entrance Waypoint Project.** Bob Ballantyne reported he believes the welcome sign can be redesigned to lower the cost of the sign by taking out the two smaller pieces of limestone at the sign base and getting rid of the sharpened edges. Mr. Ballantyne reported he believes redesigning the sign in this way could decrease the cost enough that Ely could afford to install two welcome signs at both the north and south ends of town immediately. Mr. Ballantyne offered to contact people and businesses who have donated cash to the project so far to verify they are willing to allow their donation to be used to install two welcome signs and for a sign design that is slightly different than originally presented. Mayor Doyle and the City Council discussed; including that Cheri Franke should be contacted for local prairie plantings and that City Administrator should contact Trees Forever and the Alliant Energy Foundation regarding the changes discussed.

**Resolution No. 10-1213-55, Accepting Grant Agreement with Alliant Energy Foundation.** No action on this resolution, pending response from the Alliant Energy Foundation.

#### **Downtown Dows Street Streetscape Project**

**Discuss Project Concept & Project Budget.** Mayor Doyle reported representatives of Alliant Energy stated Alliant considers this a street relocation project and would move the overhead electric infrastructure at no cost to the city, per Alliant's franchise agreement with Ely. City Administrator Anderson reported analysis of Ely's Urban Renewal Plan and TIF areas indicates sufficient incremental tax revenues would be available to pay for this project via TIF proceeds, and that Ely's TIF counsel confirms the project would be eligible for TIF financing under State Law and Ely's Urban Renewal/TIF plan. Tom Rohner noted there are often too few parking spaces, and suggested that the two spaces in front of the Post Office could be changed to limited only when the post office is open, and that there is no current need for 15-minute only spaces in front of 1655 Dows Street. City Council also discussed purchasing the vacant lot running north and south from the alley to Main Street behind the Post Office and Odie's. Council directed City Administrator to contact the owner of that lot to let them know Ely's interest in purchasing it, and to prepare an ordinance to change the parking provisions for this area as discussed.

#### **Direct Engineer and Staff to Proceed to Prepare Project Plans and Specifications.**

City Engineer Scott Pottorf reported plans and specifications could be prepared for Council review for the January 24 City Council workshop meeting, with bids advertised for in early February and opened the first week of March, 2011. Mr. Pottorf estimated project construction would take roughly two months. Hale moved to direct the City Engineer to prepare plans and specifications to be reviewed by the City Council January 24, 2011, with bids to be advertised for this project in February and opened the first week of March, 2011, second by Grove. Motion carried – 5 to 0.

**Resolution No. 10-1213-56, Approving Contract for Law Enforcement Services with Linn County Sheriff's Office.** Mayor Doyle reported this resolution would approve a contract for law enforcement services with the Linn County Sheriff's Office for FY 2011-12 for 25 hours per week of patrol services at a cost of \$28.00 per hour. Stanek moved to approve Resolution No. 10-1213-56, second by Mai.

Aye: Stanek Grove, Hale, Mai, Ballantyne

Nay:

Absent:

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

### **Budget Preparation & Financial**

**General Discussion re: Preparations for FY 2011-12 Budget.** Mayor Doyle and City Council discussed items related to the 2011-12 budget briefly with City Administrator Anderson.

**Hoover Trail Maintenance.** City Administrator Anderson reported discussions with Linn County Conservation regarding maintenance of the Hoover Trail between Ely and 76<sup>th</sup> Street. Mr. Anderson stated he will report further as the discussion progress.

**Amount to be Certified for TIF Revenues Collected in FY 2011-12.** Stanek moved to approve certifying collection of \$178,694 in TIF revenues from Linn County for FY 2011-12, second by Ballantyne. Motion carried – 5 to 0.

**Financial Reports for FY 2009-10.** Stanek moved to approve the Annual Financial Report for FY 2009-10 as presented, second by Ballantyne. Motion carried – 5 to 0.

### **Discussion Items**

Hale moved to adjourn, second by Stanek. 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