

### Ely City Council Proceedings

The Ely City Council met in regular session on 04/08/2019 in Council Chambers. Officials present were Council Members Kay Hale, Ben Symonds, Judy Wery and Dan Whitaker. Excused absent: Teri Billick Mayor Eldy Miller called the meeting to order at 7:00 PM with the Pledge of Allegiance.

Council member Hale moved, second by Wery, to approve the following consent items: Minutes from the 03/11/2019 & 03/25/2019 council meetings; March 2019 financial reports; Payment of claims totaling \$132,823.41; Beer permit renewal for Cleppe's 66; Street Closing request for Dows Street from Walker to Main submitted by Ely Public Library for March 31 from 5-7 PM; Main Street from Rowley to Evelyn Drive submitted by the Ely Fire Department for June 1 from 10AM to 5PM; Main Street from Rowley to Evelyn Drive submitted by the Ely Fire Department for July 4 from 5AM to 5PM Ayes – 4.

The following claims include expenses for the City, Park Board, and Library:

Advance Business System, copies	125.69	Kelly Heating, refund	200.00
Airgas, supply	621.05	Keystone, lab	25.00
All Eastern Iowa Gutters, gutters	1,520.00	Martin Marietta, rock	323.55
Allegra, newsletter	1,219.56	Menards, supply	94.89
Alliant Energy, utilities	5,779.16	MidAmerican, utilities	301.77
Amazon, library media	586.27	Midway, chainsaw repairs	75.91
Auto Truck Center, repairs	194.07	Municipal Supply, auto gun	2,575.00
Baker & Taylor, books	1,051.50	Neal's, softener service	19.50
Barry Hoy, generator	350.00	Office Express, office supply	178.14
BASE, administration	30.00	Ottsen Oil, maintenance supply	503.28
BDH Technology, web hosting	60.00	Plumb Supply, repair parts	142.11
BDI-CR, bearing repair	530.11	US Postmaster, postage	402.35
Benchmark, refund permit	230.00	Prime Mechanical, repair	1,272.00
Brown Concrete, service call	122.00	Principal, life ins	96.80
Callie O'Brien, reimbursement	351.73	Linn County REC, electric	350.28
Cannon Financial, copier lease	109.00	Sarah Sellon, reimbursement	99.36
Cardmember Services, supply	1,284.99	Sherwin-Williams, paint	312.44
Casey's, fuel	162.70	Simmons, Perrine, legal	444.00
CID, supplies	15.65	Solon State Bank, petty cash	147.52
Chris Henkel, reimbursement	113.67	South Slope, phone/internet	620.77
City of Fairfax, services	460.63	St. Luke's, lab	50.00
Clepepe's, wiper blades	28.05	Star Equipment, rental	1,207.30
Collection Service Center, support	1,182.14	State Hygienic, lab	1,021.00
The Company Store, league shirts	408.00	State of IA Treasurer, taxes	9,113.00
Cortez, plow repair	2,727.02	Matt Parrott, forms	838.34
Cardmember Serv, library	487.83	Sunderman Construction, refund	3,333.00
David Bruhn, damage	25.00	Terminix, pest control	129.50
Denise Hoy, reimbursement	69.60	The Accel Group, annual premium	21,003.00
EFTPS, fed/fica tax	9,387.29	Theisen's, supply	74.91
Gazette, publications	160.64	Tracy Clair, reimbursement	10.80
Home Repair, balance on front doors	1,969.00	United Rentals, rent equipment	316.49
IA Prison, street sign	75.00	Unity Point, testing	84.00
Iowa Express, delivery	360.00	UPS, shipping	55.28
Iowa Interactive, fee reimburse	27.99	VSP, insurance	95.74
IPERS, contributions	6,614.10	Waste Management, services	12,059.81
JDM Concrete, trucking sand	356.00	Weber Stone, lime	554.54
John's Lock & Key, lock smith	9.98	Wellmark, insurance	5,828.12
Johnson Plumbing, refund	215.00	Payroll, 3/12-04/08, 2019	29,843.49
		Total	\$132,823.41

March 2019 expenses per fund: General \$61,372; Road Use Tax \$16,724; Sewer Trunk Ext \$9,178; Water Main Ext \$18,042; State Street Vavra Drive Project \$66,780; Water \$14,376; Sewer \$15,711. Total \$202,183.

March 2019 receipts per fund: General \$40,573; RUT \$15,641; Employee Benefits \$276; LOST \$16,527; TIF \$5,911; Sewer Trunk Ext \$57,660; Water \$19,250; Sewer \$27,838; Storm Water Management \$1,537. Total \$185,213.

### **Department Reports:**

**Building Official:** No report (vacation)

**Library:** Sarah Sellon shared the minutes from the previous library meeting and highlights from March events. She also spoke about upcoming events including BINGO.

**Park Board:** Minutes from the Park Board's previous meeting were received. Callie O'Brien informed council that the Park Board voted to eliminate the steps at Vavra Park and move forward with the other improvements as funds were available. O'Brien let council know that the Park Board had agreed to pave the path in front of the parking at City Park, shore up the west bank of the pond to prevent further erosion, and are working to repair a wash out area around the playground at City Park. She also highlighted a list of events for 2019.

**Planning & Zoning:** Council received minutes from the P & Z's previous meeting and learned of opportunities for continuing education for members. Heidi Kiser asked council to consider having a member of council attending the P & Z meetings as the new zoning code work was taking place. This would help council understand the process the P&Z are going through to recommend a new code. The tentative timeline for finishing a new code is December 2019. Mayor Miller recommend a rotating schedule for council members to attend the meetings during this process.

**Public Works:** Council received written reports from Ron Stark regarding Water and Sewer and Chris Henkel regarding Streets.

**Sheriff's Report:** An activity report was presented to the city council by the Linn County Sheriff's deputy.

### **Community Comments**

Council heard a concern submitted about parking on Traer Street submitted by Heather Svec, 1605 Traer Street. Svec submitted pictures of parking on both sides and expressed concerns of traffic not being able to move freely, especially with the increased traffic from Dan & Debbie's Creamery. Council ask staff to look at the parking in the older part of Ely and to make a recommendation to council in May. Mayor Miller made mention of a study the P & Z did on parking in Ely a few years ago that might be a good reference.

Council also heard from Heidi Kiser concerning erosion in a waterway behind her home located on 1990 Meadow Place. After Kiser's presentation council directed Mary McGuire and Scott Pottorff to study the area and report back to council of any responsibility the city might have for making corrections to the area.

Jim Miller, 1200 Vista Road, expressed that he would like more of the stumps removed from his property where the mitigation area went through when the sewer plant was put in several years ago. City Administrator Hoy reminded Jim that the city had already removed stumps that he had identified last fall and that it was costly for the city to continue to have someone come back again. Hoy stated that everything Miller had asked for has been taken care of and was not sure whether it was fair for Miller to continue to ask for more after the agreement had been made. Council took no action and Hoy indicated she would visit with Jim more later.

### **Business**

Correspondence from Brain Engineering on behalf of Duane Kunkel was reviewed requesting an elevation change in Deer Valley Development. Council had previously reviewed and denied a request to lower the elevation by 2' but this request was for less than 1' which in turn would not jeopardize the sewer lines. Council member Hale moved, second by Wery, to allow the elevation change to the Deer Valley Preliminary Plat as recommended by engineer Scott Pottorff. Ayes – 4.

Council set the following dates for special meetings to consider proceeds for financing the State Street/Vavra Drive Project and the Water Line Extension Project: April 22, May 6, May 20, all beginning at 6

PM at City Hall.

MMS Engineer Scott Pottorff presented information to council on several items as listed below.

- **Alternate Bid #1 for State Street/Vavra Drive Project:** After discussion and confirmation from the Park Board that the steps be eliminated from the hill at Vavra Park, Council member Whitaker moved, second by Symonds to approve a resolution 2019-04.011 adopting a change order in the amount of \$61,275 for a sidewalk along the west side of Vavra Drive, a parking area and a sidewalk with handrail to the concrete slab and that \$15,000 from the Park Boards 2019 budget be applied to the capital project. Ayes: Symonds, Wery, Hale, Whitaker.
- **Construction Service Agreement with MMS:** Council member Hale moved, second by Whitaker, to enter into an agreement with MMS Engineering for construction services on State Street/Vavra Drive in a lump sum amount of \$84,600. Ayes- 4.
- **Questions regarding Water Extension** – council discussed several options for requiring and providing water/sewer services to existing residents along the route of the new water line. The matter was referred to staff to come back with different options for council to discuss at the next meeting. Council also asked staff to provider recommendation on a tap on fee for new developments.
- **Public Informational Meeting** – council set an informational meeting to be held in the Community Center on the Water Line Extension project for April 22, 2019 at 7 PM following the special meeting.
- **Authorize MMS to Bid Water Line Project** – Council member Hale moved, second by Whitaker to authorize engineer Scott Pottorff, MMS to advertise for bids on the water line extension project. Ayes – 4.
- **Public Hearing** – Council member Hale moved, second by Wery, to set a public hearing on the Plans, Specifications, and Form of Contract for the Water Line Extension Project for May 13, 2019. Ayes – 4.

Council member Hale moved, second by Symonds, to waive the city procurement process of getting three bids on the LED lighting project for the Ely Public Library because a board member who is a licensed electrician has volunteered to install the lights. Ayes – 3. Abstain – Wery due to probable conflict of interest.

Council member Wery moved, second by Whitaker, to accept the recommendation to amend ordinance 170.06 regarding preliminary plat expirations by the P & Z and instructed City Admin Hoy to present an ordinance at the May city council meeting for consideration. Ayes – 4.

Council member Whitaker moved, second by Hale, to adopt resolution 2019-04.009 approving the Drug Free Workplace Policy. Ayes: Symonds, Wery, Hale, Whitaker.

Council member Wery moved, second by Hale to adopt resolution 2019-04.010 approving the Linn County Multi-Jurisdictional Hazardous Mitigation Plan 2019. Ayes: Symonds, Wery, Hale, Whitaker.

Council member Symonds introduced the first reading of **Ordinance #278** amending provisions of the city code pertaining to sewer service charges. Hale second the motion and roll was as follows: Ayes - Symonds, Wery, Hale, Whitaker. The 2<sup>nd</sup> reading will be placed on the May city council agenda for consideration.

Council member Whitaker introduced the first reading of **Ordinance #279** amending the city code of the city of Ely by amending provisions pertaining to collection fees for Yard Waste, Symonds seconded the motion. Ayes -Symonds, Wery, Hale, Whitaker. Council member Hale then moved to waive the 2<sup>nd</sup> and 3<sup>rd</sup> reading of Ordinance #279, seconded by Whitaker. Ayes -Symonds, Wery, Hale, Whitaker. Council member Wery moved, second by Whitaker, to **adopt Ordinance #279 AMENDING THE CITY CODE OF ORDINANCES OF THE CITY OF ELY, IOWA, BY AMENDNG PROVISIONS PERTAINING TO COLLECTION FEES FOR YARD WASTE.** Ayes -Symonds, Wery, Hale, Whitaker.

Council reviewed an opinion submitted by city attorney Hatala regarding the land acquisition for property located at 1600 Rowley being donated to the city by St. John's Lutheran Church. After discussion council instructed City Admin Hoy to request Hatala prepare the documents necessary to move forward with the transaction.

Council member Hale moved, second by Whitaker, to set a public hearing for the FY2019 Budget amendment for May 13, 2019 at 7 PM. Ayes – 4.

Council agreed to set May 6 at 6:30 PM, following the special meeting, to meet with the Ely Public Library Board to discuss plans and strategize about the options for expanding the current library.

With no further business being evident, council adjourned the meeting by motion at 8:57 PM.

Eldrew Miller, Mayor

Denise L. Hoy, Clerk/Administrator