

Ely City Council Proceedings

The Ely City Council met on 6/10/2019 at 6 PM for a work session to review applications for the City Administrator/Clerk position. There were 17 applicants and council ranked the top 7 for Skype interviews to be held on Monday, June 17, 2019 in closed session.

The Ely City Council met in regular session on 06/10/2019 in Council Chambers. Officials present were Council Members Teri Billick, Kay Hale, Ben Symonds, Judy Wery. Excused absent: Dan Whitaker. 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 05/13/19, 04/22/19, 05/20/19 & 05/29/2019 council meetings; May 2019 financial reports; Payment of claims totaling \$776,123.64; New liquor License for House Divided; Liquor License renewal for Casey's General Store; Cigarette permits for Casey's General Store and Cleppe's 66. Ayes – 4.

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

Advance Business System, copies	187.60	JDM Concrete, services	21,349.50
Airgas, supply	25.66	JN Equipment, line painter	4,050.00
Ali Alldredge, supplies	33.71	Kenwood, shredding	257.20
Alliant Energy, utilities	505.38	Luanne Miller, reimbursement	180.00
Amazon, library media	136.12	Martin Brothers, supply	441.79
Baker & Taylor, books	714.82	Mary McGuire, reimbursement	302.80
Banker Advertising, promo items	447.89	MidAmerican, utilities	155.31
Bankers Trust, P & I	479,810.60	Midwest Electronics, cleanup day	1,151.75
Boomerang, Payment #1	91,371.00	Midwest Patch, supply	32.00
Brandon Morris, deposit refund	20.00	Municipal Supply, meters	3,564.00
BSN Sports, equipment	273.70	Neal's, softener service	19.50
Callie O'Brien, reimbursement	518.46	Nick Trenary, IT	90.00
Cannon Financial, copier lease	109.00	Office Express, office supply	218.50
Cardmember Services, supply	1,456.64	Ottsen Oil, supply	66.18
Casey Grover, reimburse	180.00	US Postmaster, postage	223.30
Casey's, fuel	397.30	Principal, life ins	96.80
Chris Henkel, reimburse	180.00	Linn County REC, electric	261.47
City of Fairfax, services	366.30	Ron Stark, reimbursement	245.50
Collection Service Center, support	1,182.14	Roto-Rooter, service	787.50
Company Store, league	569.00	Sam's Club, supply	539.33
Compass Minerals, salt	4,010.57	Sarah Sellon, reimbursement	81.00
CR Signs, flag	55.00	Schumacher, inspection	178.47
Cardmember Serv, library	2,016.47	Simmons, Perrine, legal	3,260.00
Custom Hose, supplies	24.73	Solid Waste, clean up	20.00
Dan & Debbie's, concession	58.00	Solon Economist, NOJOCO	170.00
Denise Hoy, reimbursement	180.00	Solon State Bank, petty cash	128.67
EFTPS, fed/fica tax	9,551.30	South Slope, phone/internet	627.09
FJ Krob, spray	50.75	Speer Financial, GO Bond sale	12,645.00
Ferguson, plumbing parts	3.59	Terminix, pest control	82.25
Flex Payout, FSA	546.82	Theisen's, supply	271.04
Gazette, publications	490.87	Theresa Grieder, reimburse	7.15
Hinton Plumbing, repairs	480.23	Tracy Clair, reimbursement	25.40
IPI, banners	49.00	Trans Equipment, repairs	1,119.28
IDNR, permits	120.00	Tyler Schurbon, reimbursement	180.00
Iowa Express, delivery	390.00	UPS, shipping	50.38
Iowa Finance, P & I	53,550.00	VSP, insurance	95.74
Iowa Once Call, locates	90.00	Waste Management, services	12,122.60
IPERS, contributions	6,375.01	Weikert Iron, cleanup day	152.00
Jackie Cleppe, dep refund	30.00	Wellmark, insurance	5,981.19

Westech, chains for WWTP	20,092.00	Payroll, 5/14-06/10, 2019	28,215.29
Bill Horrigan, reimburse	29.00	Total	\$776.123.64

May 2019 expenses per fund: General \$68,433; Road Use Tax \$10,967; Debt Service \$354,379; Water Main Ext \$41,778; State Street/Vavra Dr \$108,291; Water \$3,200; Water Sinking \$53,550; Sewer \$28,241; Sewer Sinking \$28,241; Storm Sewer \$18. Total \$794,188.

May 2019 receipts per fund: General \$71793; RUT \$21,411; Employee Benefits \$498; LOST \$16,829; TIF \$7,746; Water \$21,870; Sewer \$28,976; Storm Water Management \$1,945. Total \$171,068.

Department Reports:

Building Official: report presented and accepted.

Library: report & minutes from the previous meeting were presented and accepted.

Park Board: Minutes & report presented and accepted.

Planning & Zoning: May meeting was not held.

Public Works: reports from Chris Henkel, Tyler Schurbon and Ron Stark were presented and accepted.

Sheriff's Report: An activity report was presented by the Linn County Sheriff's deputy and accepted.

Community Comments

Heidi Kiser addressed council concerning the Meadow Brook washout issues. Council reported that they had received a written report at the May council meeting from the city engineer. They had also sought an opinion from the city attorney regarding liability and received a response late Friday afternoon therefore it did not make the council agenda. City Admin Hoy agreed to forward the received documents to Kiser via email.

Jasen Freeman addressed council regarding his water shut off valve at his home on 1865 Highland Road. The city had served Mr. Freeman a notice that the shut off valve did not work and city ordinances state that it is the property owner's responsibility to have it repaired. Mr. Freeman expressed his concern about the financial impact this has to him. Council explained that they could not deviate from the ordinance for his circumstance but offered an extension of time and public works agreed to assess the situation to see if there was any advice they may have to offer.

Business

Several residents were present to address the flash flood event that took place the end of May. Residents expressed their concerns with flooded basements and asked if the city could take steps to prevent a reoccurrence. Mayor Miller and council explained that the city would never be able to mitigate storm sewers or drainage areas that would handle the type of flood event like we experienced. It has been reported that the event was a 500-year flood event, plus the ground was already saturated and could not absorb any additional rain fall. Residents on Sunrise expressed that this type of basement flooding had happened three times in the past 11 years and felt it was not an isolated event. City engineer Scott Pottorff was instructed to look at the area and make a recommendation as to whether it is feasible to slow the water down in this area.

Kelli Mahoney also expressed concerns about their basement flooding with mud and water from the event. Mayor Miller shared that he and City Admin Hoy had drove around the night of the event to assess damages and noted that Mahoney's property took a direct hit from flood waters coming off the field directly behind their home. Mahoney expressed that she felt that the bike trail being in front of their home had caused their basement to flood. Mayor Miller had contacted Todd Happel, the engineer that designed the trail in front of the home and asked him to assess the situation. Happel submitted a written report with some thoughts on how they might prevent such an event in the future but stated that because the home is lower than the street in front of the home, they are likely to experience this again in this type of event again. Council asked Scott Pottorff to review the recommendations from Happel to get his opinion also.

Mayor Miller opened the public hearing on the FY2019 budget amendment. City Admin Hoy shared the individual line item amendments with council and residents. Hearing no oral and receiving no written comments the public hearing was closed.

Council member Hale moved to adopt resolution 2019-06.021 approving the Fiscal Year 2019 Budget Amendment. Ayes: Symonds, Wery, Hale, Billick. Nays: none.

Council reviewed a letter of agreement with CKendall Consulting for interim services between the time City Administrator/Clerk Hoy leaves and when they have a new Admin/Clerk on board. Council member Wery moved, seconded by Billick, to enter into agreement for services with CKendall Consulting. Ayes: 4.

Council discussed the request that Glen and Fran Buresh had made that the city pickup the expenses to continue the water line from their current development for the water line extension project. Council presented Mr. Buresh with the Development Agreement that states that the developer would run the water to the northeast edge of the development. Buresh argued the point that now council is doing things different in that they are running the water line in front of a future development and charging them tap on fees. It was explained to Buresh that when the agreement was entered into, the city ran the services at their expense to the Buresh Development. If the city were to change the development agreement from the original intent, they would have to include the expenses to run the water to the development. The city did offer that Buresh might see some cost savings by piggy backing onto the city contract price to continue the water to the edge of the property as previously agreed to. Engineer Pottorff was to get firm prices from the contractor on what it would cost to do this additional work that Buresh could reimburse the city for.

Callie O'Brien asked council to consider allowing the park board to carry over an amount from FY19 to FY20 to install the roofs over the dugouts at City Park. Weather had not allowed the project to be finished this year as planned. She also asked if an amount that was raised as a "fundraising event" could be moved to a reserve fund for capital projects for the Parks. Council agreed that a resolution defining fundraising events should be adopted that would encompass both the Parks and the Library. They also said that they would consider rolling the funds into a reserve as requested at the July meeting by resolution.

Tyler Schurbon, Public Works presented information for a side by side that he would like council to purchase to aid him in parks maintenance and other tasks around the city including sweeping the trail, moving snow in tight areas and being used for Fall Fest activities. He presented information and costs for 4 different units of comparison. The Park Board allocated a budget allowance of \$8000 towards a unit but indicated that they felt a used unit would be sufficient. However, Council agreed that for the price difference a new one had benefits including warranty. Council member Hale moved, second by Symonds, to approve the purchase of a Kubota RTV-XL1100CWL at the price of \$20,0900. Ayes: 4.

Several items regarding the current capital projects were approved. After having an explanation from the contractor on Change Order #3 in the amount of \$3,200 for repair of broken water lines, Hale moved, second by Wery to approve it. Ayes: 4.

Council member Wery moved, second by Symonds, to approve Change Order #5 in the amount of \$1,900 for erosion control mat for the steep slope along Vavra Drive and Vavra Park. Ayes: 4.

Council member Symonds moved, second by Hale, to approve pay request #2 to Boomerang Corporations in the amount of \$92,561.35 for work on the State Street / Vavra Drive capital project. Ayes: 4. Council also asked that Boomerang step up the traffic control and visibility of their digs.

Council member Wery moved, second by Hale, to amend the engineering agreement with MMS Consultants to include the design and engineering for storm sewer work with the State Street / Vavra Drive Capital Project in the amount of \$9,000. Ayes: 4.

Council member Hale moved, second by Billick, to enter into an agreement for Construction Services for the North Water Main Extension Project in the amount of \$69,600. Ayes: 4.

Ron Stark and Casey Grover, public works, presented a water pressure zone study they had recently completed. The finished report shows pressure zones across the city of Ely. The report indicates that to change the level of the water tower would change the pressures, however pressures measured from 47 PSI to 110 PSI. Council accepted the report and commended Stark and Grover for the work they had done on this. Council also agreed that those in high pressure areas wanting to control the pressure should consider purchasing and installing a pressure reducing valve. The pressure map will be printed professionally and posted on the city website when available.

Council member Symonds moved, second by Wery, to approve the City Admin to sign a Right of Entry agreement with Verizon Wireless and its agents to assess an area next to the water tower for a potential

sight to install a 190' mono pole tower. Ayes: 4.

Council member Symonds moved, second by Wery, to approve resolution 2019-06.022 setting employee compensation for the City of Ely, Iowa for Fiscal Year 2019-2020. Ayes: Symonds, Wery, Hale, Billick. Nays: none.

Council member Hale moved, second by Billick, to approve resolution 2019-06.023 making changes to the City of Ely Employee Handbook. Ayes: Symonds, Wery, Hale, Billick. Nays: none.

Council member Hale moved, second by Symonds, to approve resolution 2019-06.024 approving interfund transfers. Ayes: Symonds, Wery, Hale, Billick. Nays: none.

Council member Hale moved, second by Symonds, to approve the third and final reading of Ordinance 278 – Amending Sewer Service Charges. Ayes: Symonds, Wery, Hale, Billick. Nays: none.

Council member Wery moved, second by Symonds, to adopt Ordinance 278 – Amending Sewer Service Charges effective on the July 1 billing statements. Ayes: Symonds, Wery, Hale, Billick. Nays: none. This ordinance will be effective upon posting requirements as required by law.

Ordinance 280 Amending chapter 170 Subdivision Control addressing the duration of approval of preliminary plats was presented and the following action was taken.

- First Reading of Ordinance 280 – approved by Hale, second by Symonds. Ayes: Symonds, Wery, Hale, Billick. Nays: none.
- Council member Wery, second by Hale, to waive the 2nd & 3rd readings. Ayes: Symonds, Wery, Hale, Billick. Nays: none.
- Council member Symonds moved, second by Billick, to adopt Ordinance 280 Amending chapter 170 Subdivision Control addressing the duration of approval of preliminary plats. Ayes: Symonds, Wery, Hale, Billick. Nays: none.

Ordinance 280 will become law upon posting as required by law.

Ordinance 281 Amending Provisions Pertaining to Parking Prohibiting on the North Side of Traer Street was introduced and the following action was taken.

- First Reading of Ordinance 281 – approved by Hale, second by Symonds. Ayes: Symonds, Wery, Hale, Billick. Nays: none.
- Council member Wery, second by Billick, to waive the 2nd & 3rd readings. Ayes: Symonds, Wery, Hale, Billick. Nays: none.
- Council member Symonds moved, second by Hale, to adopt Ordinance 281 Amending Provisions Pertaining to Parking Prohibiting on the North Side of Traer Street. Ayes: Symonds, Wery, Hale, Billick. Nays: none.

Ordinance 281 will become law upon posting as required by law.

After discussion council agreed on the general area of the benefitted area to implement tap on fees for the new water line and Engineer Pottorff was instructed to amend the map to reflect this area. They also decided to wait until the project was completed before setting the exact tap on fee, however, they are estimating it to be in the \$1200 range. Council expressed that all future development agreements in the benefitted area would note in the development agreement that the final plat would not be approved until all fees were satisfied.

With no further business being evident, council adjourned the meeting by motion at 9:40 PM.

Eldrew Miller, Mayor

Denise L. Hoy, Clerk/Administrator