

### Ely City Council Proceedings

The Ely City Council met in regular session on 07/08/2019 in Council Chambers. Officials present were Council Members Teri Billick, Kay Hale, Ben Symonds, Judy Wery and Dan Whitaker. Mayor Eldy Miller called the meeting to order at 7:00 PM with the Pledge of Allegiance.

Mayor Miller asked the Council to postpone action on the reports from MMS on the Sunrise and Meadow Brook subdivision drainage issues pending review by Patrick O'Connell, a specialist in flood and drainage issues for cities. With that recommendation, Council member Hale moved, second by Whitaker, to approve the agenda and the following consent items: Minutes from the 06/10/19, 04/22/19, 06/17/19, 06/29/19 and 07/01/19 council meetings; June 2019 Treasurer's report; Payment of claims totaling \$259,601.92; Liquor License renewal for Post 555 Ely American Legion. Ayes.

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

Advance Business System, copies	146.81	IA Express Delivery, sewer sample	240.00
Advantage ACH, fsa	385.35	IA Interactive, ACH NSF fee	5.00
Airgas, supply	29.20	Iowa League of Cities, dues	1,207.00
Allegra, newsletter	347.30	Iowa One Call, localtes	62.10
Alliant Energy, utilities	6,600.52	IA Stormwater Ed, dues	760.00
Altec Industries, Equip parts	856.68	IPERS, contributions	6,744.43
Amazon, library media	486.93	Jill Friedman, Softball tournament	100.00
Anel Dozo, Umpire	350.00	Jim Miller, supplies	100.87
Baker & Taylor, books	905.83	Ken-Way Excavation, clean sewer	1,785.00
Barry Hoy, supplies	55.48	Kim Hollingsworth, chemicals	200.00
BDH Technology, web hosting	60.00	Kiracofe Oil, fuel	1,176.45
Boomerang, Payment #1	92,561.35	Riddell/Kollegeon Sports, uniforms	3,988.00
BSN Sports, equipment	33.90	Linn Co Public Health, permit	50.00
Callie O'Brien, reimbursement	179.41	Linn Co Sheriff, contract law	11,375.00
Cannon Financial, copier lease	109.00	Lisa Horrigan, softball tournament	100.00
Cardmember Services, supply	944.95	Martin Brothers, supply	156.83
Casey's, fuel	383.44	Martin Marietta, rock	539.42
Cedar Valley Humane, stray fees	75.00	Mary McGuire, reimbursement	16.66
City of Fairfax, contract inspections	243.15	Menards, PW supplies	470.14
CKendall Consulting, consulting	2,125.23	Micro Marketing, audiobooks	453.84
Collection Service Center, support	1,182.14	MidAmerican, utilities	125.18
Cardmember Services – library	155.26	Midwest Patch, supply	772.80
Crystal Clear Water- Labware	38.75	MMS Consultants, engineering	27,298.00
Dan & Debbie's, concession	17.40	Corridor Metro Planning, dues	1,200.58
Danny Whitson, music in park	350.00	Neal's, softener service	19.50
Delta Dental, dental	170.76	Office Express, office supply	35.50
Demarro Walton, umpire	100.00	Ottsen Oil, supply	130.33
Des Moines Stamp, stamps	542.00	US Postmaster, postage	498.45
EFTPS, fed/fica tax	13,005.65	Principal, life ins	96.80
FJ Krob, spray	99.28	Putnam Museum, library program	161.00
Frontline Warning Systems, annual	1,870.00	Read Photography, P & R poster	90.00
Funny Nuggets, library program	250.00	Linn County REC, electric	262.18
Gazette, publications	283.82	Ron Stark, reimbursement	25.65
GWorks, remote install	1,190.00	Sam's Club, supply	89.64
H & H Fun Rides, Fall Fest fees	750.00	Sarah Cook, reimbursement	50.00
Hawkins, Inc, chemicals	465.50	Sarah Sellon, reimbursement	238.02
IA Dept Inspections, Fall Fes license	15.00	Schimberg Co, back flow preventer	279.73
IA Municipalities Work Comp, yearly	14,801.00	Simmering-Cory, ordinance supplement	983.00
IA DNR, Annual Fee PWS	203.15	Simmons, Perrine, legal	5,470.00

Solberg's, donation plaque	117.68	Tire Assoc., tires	1,538.40
Solon Economist, NOJOCO	170.00	Tracy Clair, reimbursements	30.16
Solon State Bank, petty cash	234.13	Tractor Supply, supplies	32.97
South Slope, phone/internet	625.21	UMB Bank, Bond fees	300.00
Star Equipment, Str equipment	1,566.00	Vision Service Plan, VSP – Pre tax	80.11
State Hygienic Lab, testing	2,694.00	WM of Cedar Rapids, IA City, refuse	1,325.70
State Withholding, taxes	4,969.00	Welter Storage, Building Insp furniture	85.00
Steven Shelby, phone/internet service	200.00	William DesMarais, library program	100.00
Team Iowa, library supplies	145.44	Payroll, 6/20-7/4, 2019	35,146.53
Terminix, pest control	82.25	Total	<u>\$259,601.92</u>
The Jymbag Co., uniforms	433.00		

June 2019 expenses per fund: General \$103,235.88; Road Use Tax \$14,052.92; Local Option: \$33,000; Water Main Ext \$6,322.50; State Street/Vavra Dr \$98,912.85; Water \$10,987.69; Sewer \$31,550.89; Storm Sewer \$13,000. Total \$311,062.73.

June 2019 receipts per fund: General \$64,697.83; RUT \$18,588.26; Employee Benefits \$73.30; LOST \$16,889.59; TIF \$789.71; Capital Projects \$2,683,407.55; Sewer Ext Project \$12,678.06; North Water Proj \$100,000.; State Street Proj \$328,000. Water \$26,854.58; Sewer \$30,508.41; Storm Water Management \$1,492.42. Total \$3,283,979.71

#### **Department Reports:**

**Building Official:** report presented and accepted.

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

**Park Board:** minutes & report presented and accepted.

**Planning & Zoning:** June 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**

Mayor Miller announced that Jeff Horner, currently the City Administrator in Belle Plaine, has been named as the new City Administrator/Clerk for the City of Ely, to begin on August. 5. Mayor then called for anyone in the audience to come forward for any item not listed on the agenda. A trailer has been sitting on Main Street and Dows for an extended period. Ron Stark will contact the county sheriff to obtain the owners identity to get it moved.

#### **Business**

As this is the time and place as published in the Public Hearing notice to hear comments for or against the city entering into a lease agreement with St. John Lutheran Church, a motion was made by Council member Hale, seconded by Wery to open the public meeting. All aye on voice vote. Mayor Miller requested comments from the audience. As there were none, the Mayor called for written comments, none had been submitted. Motion by Hale, second by Wery to close the public hearing. All ayes on voice vote, the Mayor declared the public hearing closed.

Upon a motion by Whitaker, second by Hale to adopt Resolution 2019-07.027 approving a lease agreement with St. John Lutheran Church. Upon roll call, all ayes, the Mayor declared the resolution adopted.

A letter was received from the Library board concerning a possible expansion with the purchase of adjacent property. As all information was not available concerning potential cost to secure the property, Ms. Kendall was asked to prepare a report for the August Council meeting.

City Engineer Scott Pottorff of MMS Consultants, Inc. reviewed the report previous provided to the Council and Mr. and Mrs. Mahoney who were present at the meeting. The report concurred with the examination made by Todd Happel, the Linn County engineer responsible for the design of the Hoover

Trail project. In addition, Scott pointed out that the goal when designing for a storm event, the measure is what would happen if the pipe is overwhelmed by a larger storm event or blockage of debris. He further explained that it is unlikely that the driveway elevations differ much from before the project since Ely Road is higher than the point where the project tied into the existing driveways for each of the three homes in the areas. Mr. and Mrs. Mahoney pointed to the behavior of the ditches in the area prior to the development of the Hoover Trail. The Council accepted the report as submitted.

The Sunrise Subdivision drainage report and the Meadow Brook Subdivision drainage report prepared by MMS Consultants; Inc. as provided earlier to the Council and Ms. Kiser was filed. All action was postponed pending legal review. Heidi Kiser addressed council concerning the Meadow Brook washout issues. Ms. Kiser had not reviewed the copy of the Meadow Brook report, as she had been out of town. Ms. Kiser offered to provide email contact information for other neighbors for future discussions by the Council. Further action is anticipated at the August meeting.

Scott Pottorff reviewed the progress on State Street/Vavra Drive project requiring approval of a pay request No.3 to Boomerang in the amount of \$106,386.06. Motions by Hale, second by Symonds to approve pay estimate No. 3. All ayes on voice vote. Carried.

Change orders #6 (\$147,409) and #7 (\$12,858.22) were caused by difficulty locating existing infrastructure and condition of the existing pipe; and rock being substituted for unstable dirt backfill being restored as previous discussed with the Council. A motion was presented by Hale, second by Whitaker to approve Change Order #6. All ayes on voice vote, carried. A motion was then presented by Billick, second by Whitaker to approve Change order #7. All ayes on voice vote, carried.

In response to Council questions on the placement of a mono pole tower in the proximity of the city water tower, a modified rendering was submitted by Verizon Wireless. After discussion and additional questions concerning noise control anticipated from the generators on site, and a more detailed plan of action, Building Inspector Mary McGuire was asked to get further details from Verizon. No Council action was required at this time.

With no further business being evident, council adjourned the meeting by motion made by Hale, seconded by Wery at 8:25 PM.

Eldrew Miller, Mayor

Luanne Miller, Deputy Clerk