

Ely City Council Proceedings

The Ely City Council met in regular session on 12/09/2019 in Council Chambers. Officials present were Council Members Kay Hale, Teri Billick, Ben Symonds, Judy Wery, and 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 agenda and the following consent items: Minutes from the 11/11/19 council meeting; October 2019 Treasurer's report; and Payment of claims totaling \$360,335.27;

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

| VENDOR | AMOUNT |
|--------------------------------|-----------|
| A TO Z CHEMICAL SUPPLY | 394.79 |
| ADVANCED BUSINESS SYSTEMS | 135.89 |
| ADVANTAGE ACH | 192.51 |
| ADVANTAGE ACH | 192.51 |
| AIRGAS USA, LLC | 29.20 |
| ALLIANT | 6,681.37 |
| ALLIED SYSTEMS, INC | 350.00 |
| ALTORFER RENTS | 352.00 |
| AMAZON | 50.93 |
| BAKER & TAYLOR | 2,419.76 |
| BEN SYMONDS | 91.64 |
| BOOK SYSTEMS, INC. | 1,190.00 |
| CANON FINANCIAL SERVICES, INC | 109.00 |
| CARDMEMBER SERVICE | 592.93 |
| CASEY'S BUSINESS MASTERCARD | 231.02 |
| CEDAR RAPIDS MUSEUM OF ART | 65.08 |
| CENTRAL IOWA DISTRIBUTING | 57.80 |
| CENTURION TECHNOLOGIES | 50.00 |
| CITY OF DYERSVILLE | 1,000.00 |
| CITY OF ELY | 168.10 |
| CITY OF FAIRFAX | 1,322.07 |
| COL SVC CT | 519.69 |
| COLLECTION SERVICE CENTER | 519.69 |
| COLLECTION SERVICE CENTER | 591.07 |
| COLLECTION SERVICE CENTER | 591.07 |
| CARDMEMBER SERVICES - LIB | 138.43 |
| CUSTOM HOSE SUPPLIES, INC | 77.56 |
| DELTA DENTAL | 280.34 |
| DOMINI FUNDS FOR JEFFREY | 254.15 |
| DOMINI FUNDS FOR JEFFREY HORNE | 254.15 |
| DORSEY & WHITNEY LLP | 14,000.00 |

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|--------------------------------|------------|
| EFTPS | 4,837.44 |
| EFTPS | 4,826.25 |
| GAZETTE COMMUNICATIONS, INC | 517.83 |
| GRAINGER | 209.56 |
| HAWKINS, INC. | 698.25 |
| HINTON PLUMBING & REPAIR | 97.00 |
| IOWA EXPRESS DELIVERY | 180.00 |
| IOWA ONE CALL | 45.00 |
| IOWA STORMWATER EDUCATION PART | 60.00 |
| IPERS | 5,610.96 |
| JAMIE WILSON | 40.00 |
| JDM CONCRETE, LLC | 280.00 |
| JETCO, INC. | 368.00 |
| JIM & THERESA GRIEDER | 80.00 |
| KEYSTONE LABORATORIES, INC. | 25.00 |
| KIRACOFE OIL CO | 52.00 |
| KISONIA MAFUTA | 40.00 |
| LL PELLING CO. | 4,017.38 |
| LUANNE MILLER | 71.16 |
| LYNCH DALLAS, P.C. | 771.50 |
| MARTIN MARIETTA | 460.71 |
| MENARDS | 304.63 |
| MIDAMERICAN ENERGY COMPANY | 203.73 |
| MIDWEST MUNICIPAL CONSULTING L | 1,783.60 |
| MMS CONSULTANTS, INC | 26,308.10 |
| MUNICIPAL SUPPLY | 2,606.25 |
| NEAL SEDLACEK | 40.00 |
| NEAL'S WATER CONDITIONING | 19.50 |
| OFFICE EXPRESS | 195.08 |
| US POSTMASTER | 220.85 |
| PRINCIPAL FINANCIAL | 96.80 |
| RATHJE CONSTRUCTION CO | 242,014.35 |
| READWITHRUTH | 136.77 |
| LINN COUNTY REC | 307.18 |
| ROTO-ROOTER | 5,178.07 |
| SARAH SELLON | 28.42 |
| SIMMONS PERRINE MOYER BERGMAN | 280.00 |
| SOLON HARDWARE | 349.00 |
| SOLON STATE BANK | 111.10 |
| SOUTH SLOPE | 3,404.42 |
| STATE HYGIENIC LABORATORY | 2,293.00 |

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|------------------------------|--------------|
| TERMINIX | 82.25 |
| THOMAS SICKELS | 600.00 |
| TRACY CLAIR | 18.56 |
| TRACTOR SUPPLY CO | 47.97 |
| UNITED HEALTH | 4,791.38 |
| UPS | 57.17 |
| VSP | 80.46 |
| VISION SERVICE PLAN | 86.30 |
| WM OF CEDAR RAPIDS-IOWA CITY | 12,329.54 |
| WOODWARD COMMUNITY MEDIA | 170.00 |
| Accounts Payable Total | \$360,335.27 |

November 2019 revenues per fund: General \$20,560.25; Water \$19,437.41 Sewer \$33,009.65; Storm Sewer \$1,760.74. Total \$74,768.05

November 2019 expenses per fund: General \$70,093.53; RUT \$15,535.90; Capital Projects \$649,502.77 Water \$15,252.54; Sewer \$14,980.51. Total \$765,365.25

Department Reports:

Building Official: report presented and accepted.

Library: reported upcoming events and programs.

Park Board: minutes presented and accepted. Reviewed naming rights policy.

Public Works: street report by Chris Henkel included in packet and accepted.

Community Comments

Resident Eric Allard asked about building department mechanical & electrical inspection and noted currently in transition.

Business

A discussion was held on 1600 Rowley house that Mr. Dan Novak trying to acquire and move to Walker Street. He provided a written estimate to move the house and costs to do this. He is requesting assistance with some of these costs. Council requested postponing a decision until the January meeting so city staff can research costs for each of the five items indicated in the letter. Water & sewer stub; after house is moved would be city responsibility for misc. items left behind; closing costs and back taxes; pay Mr. Novak \$15,000 demolition costs; and waive all permit fees. Council also agreed to restore power to the house to prevent any weather-related damage during the winter months.

A discussion was held regarding State Street speed limit. Councilperson Billick requested that 30 mph continue all the way through town to at least just north of Merryhill Lane. She also discussed the Jappa Road speed limit coming from the north into Ely going from 55 mph immediately to 35 mph. Suggested Reduce Speed Ahead sign at Mabie Road then dropping to 45 mph before the 35-mph zone along with getting high reflective speed signs. City staff to research County position but thought previously Linn County was ok if the City of Ely pays for it. Also need Right-of-Way permit from the county. Billick also asked if Bus Stop Ahead sign was needed at the water tower entrance for home at 330 Jappa Road.

MMS spoke to the Meadowbrook Drainage and Terracon report. Discussed changing parking lot across from church to concrete/paving versus pavers and using the water quality grant monies for the Meadowbrook project. Discussion of installing wetlands in area of old pond but need to talk with resident

owners of the existing pond and if they would be in favor of a wetland. Decided to table until those residents were contacted. Councilperson Whitaker made a motion to approve preliminary Investigation Item A at \$13,200.00.

First reading of Ordinance changing Jappa Road parking to one side. Resident on Jappa asked if city would consider a time limit to parking and Mayor Miller explained existing ordinance is 48 hours and sheriff can tag vehicle to be towed. Council noted that Ordinance No. 283 Jappa Road from Dows Street North needs to be corrected to west side of road Parking Prohibited. Council person Billick made a motion to table until January Meeting, 2nd by Symonds. All ayes. Carried.

Councilperson Hale made motion to approve of Class C Liquor License with outdoor service and Sunday sales for Odies; 2nd by Billick. All ayes. Carried.

Discussion status of Water Main Extension Project. Discussion of what the residents will pay to hook up; what the timeline is per ordinance, etc. Hale made motion to table A Water Service Costs, 2nd by Billick until costs and information can be presented to the residents this affects. Council directed a letter to be drafted and sent to residents inviting them to the next meeting.

Scott with MMS discussed additional rock boring required along state street and presented two options to council. Council person Hale made at motion to go with Value Engineering Proposal open cut at approximate additional costs of \$56,590.00, 2nd by Symonds. Ayes 5-0, carried.

Rathje pay request #2 \$240,014.35 council person Hale made motion to pay, 2nd by council person Whitaker, All Ayes. Carried.

A discussion was held regarding approval of Buresh 4th Addition Plat. The Bureshs have paid their portion. Motion to approve by council person Wery, 2nd by council person Symonds. 4-0 on voice vote, Hale abstaining. MMS Scott to have final review. Motion to approve 1 more week to review final plat tabled by Whitaker, 2nd by Wery 4-0. Hale abstained.

Boomerang discussion for payment #8 \$70,019.94. Approximately 30 items on punch list initially and approximately 20 items remaining. The city has approximately \$66,000 retainer. 74 days of liquidated damages so far, approximately \$37,000. Motion by Billick, 2nd by Hale.

Due to City Administrator out of the office for undetermined time, council directed Mayor Miller to contact Cindy Kendall for temporary admin services.

Council person Hale made motion to go into closed session, 2nd by Billick. Roll call Whitaker, Wery, Billick, Hale and Symonds present. Closed session pursuant to Iowa Code section 21.5(1) (c) to discuss strategy with legal counsel on matter currently in litigation or where litigation is imminent

Council person Whitaker made a motion to come out of closed session, council person Hale 2nd all ayes. Council person Symonds made motion 2nd by Hale to direct the attorney to proceed as advised per the recommendations in closed session. Roll call Symonds, Wery, Hale, Billick & Whitaker.

With no further business being evident, council adjourned the meeting by motion made by Hale, seconded by Wery at 9:22 PM.

Eldrew Miller, Mayor

Luanne Miller, Deputy Clerk