

## **Ely City Council Regular Meeting July 21, 2009**

The Ely City Council regular meeting was called to order by Mayor Skraba at 6:30 p.m. on July 21, 2009 at the Ely City Hall.

PRESENT: Council members Debeltz, Nikkola, Omerza, Salerno, Sheddy, Zupec and Mayor Skraba  
(7) ABSENT: None

Moved by Salerno supported by Zupec to approve the minutes of the July 17, 2009 Special Meeting as presented. Motion carried unanimously.

### Mayor's Agenda

Mayor Skraba read the League of Minnesota Cities Board of Directors legislators of distinction memorandum.

### Consent Agenda Items:

1. Authorize Pubic Works & Utilities employees to provide support services for Blue Berry Arts Festival as provided at previous festivals
2. Appoint Robert Wilmunen to Alternative Energy Task Force
3. Approve Peddler's License to Larry Davis
4. Approve amending fire department 2009 budget increasing revenue and expenditures with regard to donation
5. Letter of support to Northeast Service Cooperative in their application for funding to provide fiber optic to rural NE MN

Moved by Salerno supported by Debeltz to approve consent agenda items 1-5 as presented above. Motion carried unanimously.

### REQUESTS TO APPEAR

Mary Lou Blaising presented the 2<sup>nd</sup> Quarter ECR report and the 2010 funding request of \$13,260. Council member Omerza thanked Blaising for her presentation and dedication to the program. Mayor Skraba expressed his desire to fund the 2010 request but stated it would be dependent upon the city's resources in 2010.

Richard Zahn presented a petition from property owners along the 1<sup>st</sup> block of White Street requesting the city repair that section of road as it holds standing water constantly and is a health issue. He questioned what the city's plans were for fixing this issue. The council recommended this issue be addressed by the Structures & Infrastructure Committee at their August, 2009 meeting.

### COMMITTEE REPORTS

Moved by Salerno supported by Zupec to task the Employee Relations Committee to review and update all the job descriptions that report to the City Clerk and then bring back to the council for approval. Motion carried unanimously.

Council member Omerza requested that the pictures in the Library Board Room be hung as soon as possible and thanked the Ely Winton Historical Society for loaning the pictures to the library.

Omerza reported on the League of MN Cities Policy Committee on local economics which she sits on.

Mayor Skraba reported on the airport commission meeting he attended and recommended the city meet with Jeff Stewart of WSB.

Moved by Zupec supported by Debeltz to authorize Mayor Skraba meet with the Clerk Boese, Accountant Erickson and Jeff Stewart to review the current grant, apply for additional funds and a possibly apply for an extension of the grant deadline. Motion carried unanimously.

Clerk Boese was directed to advertise the sale of the float plane dock stating it must be removed before winter.

#### Department Head Reports

Barb Lyke presented a proposal from the Grand Ely Lodge to hold a pack sack race on Sheridan Street on August 29, 2009 from 12:30-2:30 p.m. Barb will bring a map and additional information regarding the race back to the council at the next meeting. She will coordinate with the Police Chief and the Public Works Director.

Moved by Zupec supported by Debeltz to accept the recommendation of the Police Commission and appoint John Lahtonen to the position of Assistant Police Chief. Motion carried unanimously.

Moved by Zupec supported by Salerno to authorized Chief Saw to sell the old squad car currently being used by the public utilities department. Motion carried unanimously.

Moved by Zupec supported by Salerno to the Fire Protection Contract with St. Louis County for Unorganized Townships 64-12 & 64-13 for fire protection and first responder services as presented. Motion carried unanimously.

Chief Gerzin presented information regarding the sprinkler system repairs needed at the Miner's Dry building. A representative from Nardini Alarm Co. will be looking at the system next week if it cannot be repaired by city employees.

#### City Attorney

Attorney Klun presented a request by Jessica Bayer and Tim Leeson for right of re-entry and repurchase request. The council discussed the possibility of extending the option of waiving the right to resale.

The Phase II purchase agreement for George Burger land transfer has been drafted and will be ready for signature at the attorney's office on Wednesday.

All lot sales in Spaulding from this point forward will contain the penalty agreement as presented by Attorney Klun previously.

The community center rental agreement was reviewed and Attorney Klun suggested that language be included in the document requiring deposits to be paid when the agreement is signed.

Attorney Klun presented the school district's request for a JFK building agreement for 2010. Superintendent Langen informed Attorney Klun that he believes there will not be a shortfall for the 2008-2009 based on decreased propane costs. Attorney Klun will present a draft agreement to the council in August.

Moved by Zupec supported by Salerno to approve the first reading of Peddler's Ordinance revision to Section 6.31 as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

City Engineer

Moved by Salerno supported by Zupec to award the surfacing bid of 2<sup>nd</sup> Avenue West project to the low bidder, Ulland Brothers, Inc. for \$86,042.70. Motion carried unanimously.

Moved by Debeltz supported by Zupec to approve partial pay estimate #1 in the amount of \$73,531.31 for 2<sup>nd</sup> Avenue West project as presented. Motion unanimously carried.

Moved by Salerno supported by Zupec to approve partial pay estimate #2 in the amount of \$42,786.68 for 2<sup>nd</sup> Avenue West project as presented. Motion carried unanimously

City Engineer Maninga reviewed the Army Corp of Engineers grant application for 2010 funding which Nancy Larson of the EADA who is drafting. Moved by Zupec supported Debeltz to pre-approve the Army Corp of Engineers grant application for 2010 funding due 7/31/09. Motion carried unanimously.

2<sup>nd</sup> Avenue utility testing will be completed this week and the extension into the alley will begin next week. CSI's work will be completed in 2 weeks. Public works will begin preparing for resurfacing next week after the completion of utility testing. The entire project should be completed by the end of August.

#### DEPARTMENTAL REPORTS

Clerk-Treasurer

Moved by Debeltz supported by Salerno to approve payment of the EUC and city bills and payroll as presented. Motion carried unanimously.

City Operations Director

Director Langowski presented a proposal to have the elder circle employees at the recycling center for approximately 40 hours per week at the new location. The center will be closed Tuesdays and Sundays. The center will be closed when the bins are full and remain closed until the bins are emptied.

Moved by Debeltz supported by Shedly to remove the dumpster from the present recycling center immediately. Motion carried unanimously.

Director Langowski talked to Terry Soderberg of St. Louis County and it looks favorable that the city will receive grant monies for the purchase of a new cardboard bailer.

Director Langowski did not have a recommendation at this time as to where relocation funding would be coming from for the preliminary estimate of \$20,000.

The Planning & Zoning Commission has recommended the city review all city building to make sure they are secured and if necessary the council look at demolition of unsafe buildings. Director Langowski reviewed the current list of city buildings and presented an IRR grant application for commercial redevelopment. Building discussed included Captain's Dry, engine house and the water plant.

Moved by Salerno supported by Sheddy to have Director Langowski review if any of these buildings would need asbestos or lead paint abatement through the PCA and report the findings back to the council. Motion carried unanimously.

#### EUC Consent Agenda Items

1. Approved drafting an ordinance to assess fees required for professional services such as legal and engineering services concerning customer billing issues and service issues to the customer.
2. Approve the purchase of cross arms and braces from Resco for \$2,374.95.
3. Approved prepaid bills and the bills list for July 2, 2009 totaling \$47,509.54.
4. Approved paying Klun Law Firm \$1,262.59 for legal fees on various past due customer bills. It was noted that if an ordinance is passed, the commission would want these bills paid by the individual customer, if possible.
5. Approved partial pay estimate for 2<sup>nd</sup> Ave west work completed to date by Construction Services Inc. totaling \$73,531.31.

Moved by Salerno supported by Nikkola to approve payment of items 1-5 of the EUC consent agenda as presented above. Attorney Klun will review the legality of item #1 with regard to Statutes. Motion carried unanimously.

#### COMMUNICATIONS

The council reviewed a thank you note to the Police Department from Charlie and Brenda Feller.

The council reviewed a thank you letter from Jane Sadler for the Council's decision to move the recycling center.

The council reviewed the State Demographers 2008 population estimate of 3529 and household estimate of 1660.

Moved by Debeltz supported by Salerno to approve placement of a POW flag at the cemetery and replace the POW flag at the city hall. Motion carried unanimously.

#### Claims for Payment

- A. RLK – Spaulding Phase III Invoice #2008125600013 for \$1,343.00
- B. US Bank – 2003 GO Bonds for \$2,867.50
- C. Paul Ness – Library Clerk Position Invoice #09-701 for \$297.00
- D. MN PFA – 2003A GO Bonds for \$210,512.40 (pending approval by the EUC)
- E. ECR – 3<sup>rd</sup> Qtr payment for services \$3,315.00
- F. ISD #696 – JFK building support Invoices #203 & #203A for \$6840.00 & \$1,543.88
- G. MPCA VIC – Duluth Metals cleanup at Business Park Invoice #770000783 for \$675.00

Moved by Nikkola supported by Debeltz to approve the claims for payment A-G as presented above. Council member Zupec – no item F. Motion carried.

#### OLD BUSINESS

Moved by Omerza supported by Salerno to waive readings in entirety of all ordinances and resolutions. Motion unanimously carried.

Director Langowski was directed by the council to check with property owners adjoining the Lucky Boy property to see if they would be willing to share in the costs of survey that property. If they are willing the council agreed to proceed with the survey as proposed by Bear Island Surveying.

Moved by Shedly seconded by Zupec to request Forester Eric Mayranen to put the timber sale together and schedule the survey after the adjacent property owners are notified of the survey. Motion carried unanimously.

#### NEW BUSINESS

Moved by Omerza supported by Salerno to approve resolution establishing business loan program and to seek funds through St. Louis County's CDBG program as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Salerno supported by Zupec to approve resolution establishing procedures relating to compliance with reimbursement bond regulations with regard to purchase of fire truck and equipment as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Debeltz supported by Salerno to approve resolution allowing wire/automated bank payments – St. Louis County as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Salerno supported by Debeltz to approve resolution authorizing grant application for Pilot Count Enforcement Project as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Salerno supported by Debeltz to approve resolution approving raffle permit for Ducks Unlimited September 5, 2009 as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.  
The council will hold a joint meeting with the Ely Utilities Commission on July 28, 2009 at 6:00 p.m.

The council will hold a joint meeting with the Police Commission on July 28, 2009 at 6:30 p.m.

#### OPEN FORUM

Duane Whalen expressed concern about the traffic issues that may be caused by the proposed recycling relocation area.

Moved by Salerno supported by Omerza to adjourn at 8:20 p.m. Motion carried unanimously.

Terri Boese  
Clerk/Treasurer