

## **Ely City Council Regular Meeting August 4, 2009**

The Ely City Council regular meeting was called to order by Mayor Skraba at 6:30 p.m. on August 4, 2009 at the Ely City Hall.

PRESENT: Council members Debeltz, Nikkola, Omerza, Salerno, Sheddy, and Mayor Skraba (6)  
ABSENT: Council member Zupec (1)

Moved by Salerno supported by Debeltz to approve the minutes of the July 7, 2009 regular meeting, July 17, 2009 special meeting and July 21, 2009 (2) public hearings as presented. Motion carried unanimously.

Moved by Debeltz supported by Salerno to approve the following additions and deletions to the agenda: Additions to the agenda - City Attorney Item 4 – Attorney fees on collection charges. Deletions to the agenda as follows: New Business Items B & C were deleted; Old Business Item A was deleted; Operations Director Item 1 was deleted. Motion carried unanimously.

### **Mayor's Agenda**

Moved by Debeltz supported by Salerno to send letter of support to Legion in their bid for the State Baseball tournament in 2011. Motion carried unanimously.

### **Consent Agenda Items:**

1. Appoint Council member Salerno as Council Representative (Ad Hoc) to the Police Commission
2. League Safety Assistance Program, authorize staff to attend
3. Joint meeting with Morse Township and EUC to discuss annexation tentatively scheduled August 13, 2009 at 6 p.m.
4. Extension request to FAA for Ely Airport grant deadline

Moved by Salerno supported by Debeltz to approve consent agenda items 1, 2 & 4 as presented above. Item 3 – date did not work for Township to meet with City. Motion carried unanimously.

### **REQUESTS TO APPEAR**

Mayor Skraba read a letter from Jim Woods thanking city employees Jim Wagner and Tom Baudek for the care they take in opening and closing graves sites at the cemetery. A copy of the letter will be placed in Wagner's and Baudek's personnel files.

Jim Woods requested authorization for Ben Hway to raise footstones in the cemetery to earn his Eagle Scout badge. Moved by Sheddy supported by Salerno to approve Ben Hway's Eagle Scout project of raising head stones in the cemetery. Motion carried unanimously.

Jack Zorman requested that a city employee be designated to oversee the recycling center and conduct drive by's daily and on weekends. Director Langowski will ask staff to patrol the area daily. Zorman suggested the cardboard crusher be relocated to the old city garage. The containers were emptied 3 times last week and that is the maximum amount that can be provided per Terry Soderberg of St. Louis County. The city has two options to either move the recycling center to a gated area or to permanently close the center. Director Langowski will put a notice in the paper to notify the public that the center will be moving.

## COMMITTEE REPORTS

Council member Sheddy informed the council that the Planning & Zoning Commission is recommending the city secure all city buildings and the Old Ford garage building. Director Langowski and Building Official Conery met with a representative for the owner of the Old Ford garage earlier this year. At that time the representative stated the owner intends to refurbish the building at some point. Moved by Sheddy supported by Salerno to start condemnation proceedings on this building. After additional discussion the motion and 2<sup>nd</sup> were withdrawn.

Moved by Omerza supported by Nikkola to authorize Attorney Klun to review the options (Blight/Condemnation) and report back to the council with her findings on the Old Ford garage property. Motion carried unanimously.

Mayor Skraba presented an update of the Alternative Energy Task Force committee meetings. He is working with a Blandin representative to get authorization to use the \$5,000 grant toward the biomass feasibility study.

Mayor Skraba will be conducting Public Service Announcements in the near future on emergency preparedness.

### Department Head Reports

Moved by Nikkola supported by Sheddy to authorize the purchase of the 1975 Quint fire truck for \$60,000 and to task the budget committee with the review of funding, painting and equipping costs. Motion carried unanimously.

### City Attorney

Moved by Nikkola supported by Omerza to approve the ISD #696 Reimbursement Agreement as presented and authorized the clerk and mayor to sign the agreement. Motion carried unanimously.

Moved by Salerno supported by Nikkola to accept E. Spaulding 1<sup>st</sup> Addition purchase agreement as presented. Attorney Klun has added a disclaimer regarding property being reclaimed mine land and the right of re-entry penalty clause and authorizing a warranty deed to be issued if the council exercises the right of re-entry. Motion carried unanimously.

Moved by Salerno supported by Debeltz to waive the resale requirement for Leeson/Bayer Spaulding Lot 2, Block 4 E Spaulding and to allow new purchaser to build on the lot within 2 years after purchase. Offer to also be extended to Laura McEntyre. Motion carried unanimously.

Attorney Klun reported that attorney fees may not assessed to landowners for unpaid/delinquent utility bills. The Utility Commission will monitor past due bills more closely.

### City Engineer

Moved by Debeltz supported by Salerno to approve Change Order No. 2, Second Ave W improvement project as presented. The change order is to extend final completion date until August 7, 2009 and includes no monetary change. Motion carried unanimously.

Moved by Sheddy supported by Nikkola to authorize the sale of lost in the E Spaulding addition. Motion carried unanimously.

## 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.

The council reviewed the annual disclosure reports for TIF districts 1 and 3. Mayor Skraba stated that he had contacted Senator Bakk and Representative Morey Lanning and they have suggested that a bill be entered into this legislative session to extend the life of these 2 tax increment districts.

Moved by Salerno supported by Debeltz to have local legislators enter a bill on behalf of Ely to extend the life of these 2 TIF districts in this legislative session. Motion carried unanimously.

The budget committee will be Friday August 7, 2009 at 2:00 p.m. The council will hold a special meeting on Tuesday, August 11, 2009 at 6:00 p.m. to review the 2010 proposed budget.

Council member Shedly will draft a proposed review form for review by the Employee Relations committee next week and will be ready to present to the council by August 18<sup>th</sup>. Clerk Boese's review will be held following the regular meeting on September 1, 2009.

### City Operations Director

Director Langowski presented an estimate from OSI for cleanup of the recycling area. He will be applying to IRR for a grant under the Brownfield's act. He will also apply for cleanup of the Engine House building and the old water plant. No money is currently budgeted for these items.

The council will review the proposed hydrant contract with the Towns of Morse and Fall Lake when they met with them.

Langowski stated that applications have been submitted to the Army Corp of Engineers, Section 569 Infrastructure assistance program and CDBG. Hearings for the CDBG application will be held in September. Council and EUC representatives will be required to attend the hearings.

### EUC Consent Agenda Items

1. Passed a motion requiring all requests for in-kind services to be submitted to the Commission at the meeting at least one month before the event
2. Authorized the Operations Director to attend the 77<sup>th</sup> annual MMUA summer meeting August 24-26 at Breezy Point
3. Approved payment of the KBM Inc Invoice #060929 for the Arc flash System Study for \$6,372.49 and Invoice #060930 for the 2009 Reconductoring Project for \$150.70
4. Approve payment of MN Power bill for June \$129,163.19
5. Approved payment of the PFA GO Bond for \$210,512.40
6. Approved payment of the partial pay estimate #2 for Second Ave W Improvements Project for \$42,786.68

Moved by Debeltz supported by Salerno to approve payment of items 1-6 of the EUC consent agenda as presented above. Motion carried unanimously.

## COMMUNICATIONS

The council reviewed a thank you letter from Assistant Chief Lahtonen for his appointment to the position.

Claims for Payment

- A. Partial pay estimate #3 for 2<sup>nd</sup> Ave W Improvement Project \$48,139.74
- B. RLK Inc, Invoice 6 no charge
- C. Patrick Conery, Building Inspection Services June & July \$3,651.72

Moved by Salerno supported by Sheddy to approve the claims for payment A-C as presented above.  
Motion carried unanimously.

OLD BUSINESS

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

Moved by Debeltz supported by Salerno to adopt the Peddlers Ordinance as presented 2<sup>nd</sup> reading and publication. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Sheddy-yes; Mayor Skraba-yes. Motion carried unanimously.

**AN ORDINANCE OF THE CITY OF ELY, MINNESOTA, AMENDING ELY CITY CODE, CHAPTER 6, SECTION 6.31, ENTITLED PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS**

THE COUNCIL OF THE CITY OF ELY DOES HEREBY ORDAIN:

**SECTION 1.** Section Chapter 6, Section 6.31, of the Ely City Code shall be amended to read as follows:

**SEC. 6.31. PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS.**

**Subd. 1.** Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and the neuter, and vice-versa. The term "shall" means mandatory and the term "may" is permissive. The following terms shall have definitions given to them:

**A. Person.** The term "person" shall mean any natural individual, group, organization, corporation, partnership, or association. As applied to groups, organizations, corporations, partnerships, and associations, the term shall include each member, officer, partner, associate, agent or employee.

**B. Peddler.** The term "peddler" shall mean a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place, for the purpose of offering for sale, displaying or exposing for sale, selling or attempting to sell, and delivering immediately upon sale, the goods, wares, products, merchandise, or other personal property, that the person is carrying or otherwise transporting. The term peddler shall mean the same as the term hawker.

**C. Solicitor.** The term "solicitor" shall mean a person who goes from house-to-house, door--to-door, business-to-business, street-to-street, or any other type of place-to-place, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services, of which he or she may be carrying or transporting samples, or that may

be described in a catalog or by other means, and for which delivery or performance shall occur at a later time. The absence of samples or catalogs shall not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above. The term solicitor shall mean the same as the term canvasser.

**D. Transient Merchant.** The term "transient merchant" shall mean a person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter, or empty store front for the purpose of exposing or displaying for sale, selling or attempting to sell, and delivering, goods, wares, products, merchandise, or other personal property, and who does not remain or intend to remain in any one location for more than fourteen (14) consecutive days.

**E. Regular Business Day.** Any day during which the City Hall is normally open for the purpose of conducting public business. Holidays defined by State law shall not be counted as regular business days.

**F. Exceptions to Definitions.** For the purpose of the requirements of this ordinance, the terms "peddler", "solicitor", and "transient merchant" shall not apply to any person selling or attempting to sell at wholesale any goods, wares, products, merchandise, or other personal property, to a retailer of the item(s) being sold by the wholesaler. The terms also shall not apply to any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products such as baked goods and milk, nor shall they apply to any person making deliveries of perishable food and dairy products to the customers on his or her established regular delivery route. In addition, persons conducting the type of sales commonly known as garage sales, rummage sales, or estate sales, as well as those persons participating in an organized multi-person bazaar or flea market, shall be exempt from the definitions of peddlers, solicitors, and transient merchants, as shall be exempt from the definitions of peddlers, solicitors, and transient merchants, as shall be anyone conducting an auction as a properly licensed auctioneer, or any officer of the court conducting a court ordered sale. Exemption from the definitions for the scope of this ordinance shall not excuse any person from complying with any other applicable statutory provision or local ordinance.

## **Subd. 2. Licensing.**

**A. County License Required.** No person shall conduct business as a peddler, solicitor, or transient merchant within the City limits without first having obtained the appropriate license from the County as required by Minnesota Statutes Chapter 329 as amended.

**B. City License Required.** Except as otherwise provided for by this ordinance, no person shall conduct business as either a peddler or a transient merchant without first having obtained a license from the City.

**C. Application.** Application for a City license to conduct business as a peddler or transient merchant shall be made at least fourteen (14) regular business days before the applicant desires to begin conducting business. Application for a license shall be made on a form approved by the City Council and available from the office of the City Clerk. All applications shall be signed by the applicant. All applications shall include the following information:

1. Applicant's full legal name.
2. All other names under which the applicant conducts business or to which

applicant officially answers.

3. A physical description of the applicant (hair color, eye color, height, weight, distinguishing marks and features, etc.)

4. Full address of applicant's permanent residence.

5. Telephone number of applicant's permanent residence.

6. Full legal name of any and all business operation(s) owned, managed, or operated by applicant, or for which the applicant is an employee or agent.

7. Full address of applicant's regular place of business (if any).

8. Any and all business related telephone number(s) of the applicant.

9. The type of business for which the applicant is applying for a license.

10. Whether the applicant is applying for an annual or daily license.

11. Applicant must authorize a background check through the Minnesota Computerized Criminal History Data and release of the information to the Ely Police Department by signed consent. Background checks are authorized by this ordinance and state statute, including, but not limited to, MN Statute Chapter 13 and MN Statute Chapter 364. The Ely Police Department is hereby authorized to conduct said background investigations. An applicant's failure to provide consent may be grounds for denial of license. Criminal history data that the police department receives shall be maintained by the department, but may be used to screen applicants for licenses required by the ordinance.

12. The dates during which the applicant intends to conduct business, and if the applicant is applying for a daily license, the number of days he or she will be conducting business in the City. (Maximum fourteen (14) consecutive days.)

13. Any and all address(es) and telephone number(s) where the applicant can be reached while conducting business within the City, including the location where a transient merchant intends to set up business.

14. A statement as to whether or not the applicant has been convicted within the last five (5) years of any felony, gross misdemeanor, or misdemeanor for violation of any State or Federal statute or local ordinance, other than traffic offenses.

15. A list of the three (3) most recent locations where the applicant has conducted business as a peddler or transient merchant.

16. Proof of any required County license.

17. Written permission of the property owner or the property owner's agent for any property to be used by a transient merchant.

18. A general description of the items to be sold or services to be provided.

19. All additional information deemed necessary by the City Council.

20. If a City license is denied, the City shall provide the applicant with the reasons for denial.

**D. Fee.** All applications for a license under this ordinance shall be accompanied by the fee established in the City's fee schedule as adopted from time-to-time by an ordinance passed by the Council.

**E. Procedure.** Upon receipt of the completed application and payment of the license fee, the City Clerk shall forward the application to the Council within two (2) regular business days of receipt. An application shall be determined to be complete only if all required information is provided. The City Clerk, within two (2) regular business days of receipt, shall determine if the application is complete. If the Clerk determines that the application is incomplete, the Clerk shall inform the applicant of the required necessary information which is missing. The Council shall review the application and order any investigation, including background checks, necessary to verify the information provided with the application. There may be an occurrence of questionable identity in regard to the applicant. If this should occur the applicant will be asked for fingerprint verification in cases where it is not clear if a record based on a name and date of birth search actually belongs to the applicant. The applicant will also be subject to additional FBI Criminal History Background investigations. Within ten (10) regular business days of receiving the application from the City Clerk, the Council shall vote whether or not to issue the license. If the Council approves the application, the Clerk shall be instructed to issue a license to the applicant. If the Council rejects the application, the applicant shall be notified in writing of the Council's decision, the reason for the denial, and of his or her right to appeal the denial by requesting, within twenty (20) days of receiving the Council's notice of rejection, a public hearing to be heard by the City Council or its Committees within twenty (20) days of the date of the request. The Applicant may be entitled to the Administrative Appeals Provision found in Ely City Code Section 2.05. The final decision of the Council following the Public Hearing shall be appealable by petitioning the Minnesota Court of Appeals for a Writ of Certiorari.

**F. Duration.** An annual license granted under this ordinance shall be valid for one (1) calendar year from the date of issue. All other licenses granted under this ordinance shall be valid only during the time period indicated on the license.

**Subd. 3. License Exemptions.** No license shall be required for any person to sell or attempt to sell, or to take or attempt to take orders for, any product grown, produced, cultivated, or raised on any farm. No license shall be required of any person going from house-to-house, door-to-door, business-to-business, street-to-street, or other type of place-to-place when such activity is for the purpose of exercising that person's State or Federal Constitutional rights (i.e., freedom of speech, press, religion, etc.) except that this exemption may be lost if the person's exercise of Constitutional rights is merely incidental to a commercial activity. Professional fund raisers working on behalf of an otherwise exempt person or group shall not be exempt from licensing requirements of this ordinance.

**Subd. 4. Ineligibility for License.** The following shall be grounds for denying a license under this ordinance:

A. The failure of the applicant to obtain and show proof of having obtained any

required County license.

B. The failure of the applicant to truthfully provide any of the information requested by the City as a part of the application, or the failure to sign the application, or the failure to authorize a background check through the Minnesota Computerized Criminal History data, or the failure to pay the required fee at the time of application.

C. The conviction of the applicant within the past five (5) years from the date of application, for any violation of any Federal or State statute or regulation, or of any local ordinance, which adversely reflects on the person's credibility, ability to conduct the business for which the license is being sought in an honest and legal manner or that will ~~not~~ adversely affect the health, safety, and welfare of the residents of the City. ~~Such violations shall include but not be limited to: burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threatened physical harm against another person.~~

D. The revocation within the past five (5) years of any license issued to the applicant for the purpose of conducting business as a peddler, solicitor, or transient merchant.

E. The applicant is determined to have a bad business reputation. Evidence of a bad business reputation shall include, but not be limited to, the existence of more than two (2) complaints against the applicant with the Better Business Bureau, the Attorney General's Office, or other similar business or consumer rights office or agency, within the preceding twelve (12) months, or four (4) such complaints filed against the applicant within the preceding five (5) years.

**Subd. 5. Suspension and Revocation.** Any license issued under this subdivision may be suspended or revoked at the discretion of the City Council for violation of any of the following:

A. Fraud, misrepresentation, or incorrect statements on the application form.

B. Fraud, misrepresentation, or false statements made during the course of the licensed activity.

C. Conviction of any offense for which granting of a license could have been denied under Subdivision 4 of this ordinance.

D. Violation of any provision of this ordinance.

The suspension or revocation of any license issued for the purpose of authorizing multiple persons to conduct business as peddlers or transient merchants on behalf of the licensee, shall serve as a suspension or revocation of each such authorized person's authority to conduct business as a peddler or transient merchant on behalf of the licensee whose license is suspended or revoked.

**A. Notice.** Prior to revoking or suspending any license issued under this ordinance, the City shall provide the license holder with written notice of the alleged violation(s) and inform the licensee of his or her right to a hearing on the alleged violation. Notice shall be delivered in person or by mail to the permanent residential address listed on the license application, or if no residential address is listed, to the business address provided on the license application.



**B. Public Hearing.** Upon receiving the notice provided in Paragraph A, the licensee shall have the right to request a Public Hearing before the City Council. If no request for a hearing is received by the City Clerk within ten (10) regular business days following the service of the notice, the City may proceed with the suspension or revocation. For the purpose of mailed notices, service shall be considered complete as of the date the notice is placed in the mail. If a Public Hearing is requested within the stated time-frame, a hearing shall be scheduled within twenty (20) days from the date of the request. Within three (3) regular business days of the hearing, the City Council shall notify the licensee of its decision.

**C. Emergency.** If in the discretion of the City Council, imminent harm to the health or safety of the public may occur because of the actions of a peddler or transient merchant licensed under this ordinance, the Council may immediately suspend the person's license and provide notice of the right to hold a subsequent Public Hearing as prescribed in Paragraph B of this Section.

**D. Appeals.** ~~Any person whose license is suspended or revoked under this Section shall have the right to appeal that decision in court.~~ The City and Police Department will comply with MN Statutes 364 and 13 as applicable.

**Subd. 6. Transferability.** No license issued under this ordinance shall be transferred to any person other than the person to whom the license was issued.

**Subd. 7. Registration.** All solicitors and any person exempt from the licensing requirements of this ordinance under Subdivision 3, shall be required to register with the City. Registration shall be made on the same form required for a license application, but no fee shall be required. Immediately upon completion of the registration form, the City Clerk shall issue to the registrant a Certificate of Registration as proof of the registration. Certificates of Registration shall be non-transferable.

**Subd. 8. Prohibited Activities.** No peddler, solicitor, or transient merchant shall conduct business in any of the following manners:

A. Calling attention to his or her business or items to be sold by means of blowing any horn or whistle, ringing any bell, crying out, or by any other noise, so as to be unreasonably audible within an enclosed structure.

B. Obstructing the free flow of either vehicular or pedestrian traffic on any street, alley, sidewalk, or other public right-of-way.

C. Conducting business in such a way as to create a threat to the health, safety, and welfare of any individual or the general public.

D. Conducting business before seven o'clock in the morning (7:00 a.m.) or after nine o'clock at night (9:00 p.m.).

E. Failing to provide proof of license or registration, and identification, when requested; or using the license or registration of another person.

F. Making any false or misleading statements about the product or service

being sold, including untrue statements of endorsement. No peddler, solicitor, or transient merchant shall claim to have the endorsement of the City solely based on the City having issued a license or certificate of registration to that person.

G. Remaining on the property of another when requested to leave, or to otherwise conduct business in a manner a reasonable person would find obscene, threatening, intimidating or abusive.

**Subd. 9. Exclusion by Placard.** No peddler, solicitor, or transient merchant, unless invited to do so by the property owner or tenant, shall enter the property of another for the purpose of conducting business as a peddler, solicitor, or transient merchant when the property is marked with a sign or placard at least three and three-quarter (3-3/4) inches long and three and three-quarter (3-3/4) inches wide with print of at least 48 point in size stating "No Peddlers, Solicitors, or Transient Merchants," or "Peddler, Solicitors and Transient Merchants Prohibited," or other comparable statement. No person other than the property owner or tenant shall remove, deface, or otherwise tamper with any sign or placard under this Subdivision.

**Subd. 10. Violations and Penalties.** Any person who violates any provision of this ordinance shall be guilty of a misdemeanor and upon conviction of any violation shall be subject to a fine not to exceed ~~seven hundred dollars (\$700.00)~~ one thousand dollars (\$1,000.00) or a jail sentence not to exceed ninety (90) days, or both, ~~plus the cost of prosecution~~. Each day a violation exists shall constitute a separate violation for the purposes of this Subdivision.

**Subd. 11. Separability.** Should any Section, clause or portion of this ordinance be found invalid, unenforceable, or unconstitutional by a court of competent jurisdiction, such finding shall not apply to any other Section, clause, or portion of this ordinance, unless the court's findings specifically provides otherwise.

**Subd. 12. Licensing Fees.** A schedule of license fees shall be available at the City Clerk's office for review by prospective applicants.

**SECTION 2. Effective Date:** Pursuant to Section 3.08 of the Charter of the City of Ely, Minnesota, the adoption of this Ordinance is effective immediately after final adoption and publication.

Semer's, Miners's Dry and Whiteside park rental agreements will be presented at a later date for review and adoption.

The GELympic Trials will be held at the GEL on August 27-29<sup>th</sup>. Information.

Moved by Debeltz supported by Nikkola to authorize the Mayor and Clerk to sign the TKDA professional services agreement for the 2009-CIP snow removal equipment for the Ely Municipal Airport as presented. Motion carried unanimously.

#### NEW BUSINESS

Moved by Salerno supported by Omerza to authorize the Mayor and Clerk to sign the Grant in Aid Agreement for Hidden Valley Cross Country Ski Trail in the amount of \$5,795.00 as presented. Motion carried unanimously.

Moved by Debeltz supported by Nikkola to authorize Council member Sheddy to contact the Forest Service to get a holiday tree to be delivered to Whiteside Park. Motion carried unanimously.

Motion by Sheddy supported by Debeltz to contact the Chamber of Commerce to have a city booth at the Harvest Moon Festival. Motion carried unanimously.

Moved by Debeltz supported by Salerno to approve a temporary liquor license to Ducks Unlimited for September 5, 2009. Motion carried unanimously.

Moved by Debeltz supported by Salerno to approve the following liquor license renewal applications for 9/1/09-8/31/10 pending the receipt of all required paperwork. Motion carried unanimously.

<p><b>ON-SALE INTOXICATING</b>  Zaverl's Bar Inc.  Kwazy Wabbit of Ely Inc.  Grand Ely Lodge, LLC  Dee's Bar Inc., the Next Generation Inc.  EBA Enterprises Inc DBA: Ely Bowling Center  Ely Steak House  Porthan Enterprises Inc. DBA: Portage Bar  Michael Trumbull DBA: Northern Grounds  Boathouse Brewery LLC</p>	<p><b>SUNDAY ON-SALE</b>  Jugoslav National Home Inc.  Loyal Order of the Moose Lodge #1580  V.F.W. Post #2717  Ely Steak House Inc.  EBA Enterprises Inc DBA: Ely Bowling Center  Grand Ely Lodge LLC  Boathouse Brewery, LLC  Michael Trumbull DBA: Northern Grounds</p>
<p><b>WINE</b>  Moose Ridge Inc. DBA: Sir G's Italian Restaurant  Alces Inc. DBA: The Chocolate Moose</p>	<p><b>OFF-SALE</b>  Mike's Drive In Liquor Inc.  Kat's Drive In Liquors Inc.  Anne M. Moravitz, DBA: Beavers Liquor  Sarah Burger, Wildlife Liquor  Boathouse Brewery, LLC</p>
<p><b>CLUB</b>  Jugoslav National Home Inc.  V.F.W. Post #2717  Loyal Oder of the Moose Lodge #1580</p>	<p><b>ON-SALE 3.2 NON-INTOXICATING MALT</b>  Alces Inc. DBA: The Chocolate Moose  Sky Ventures DBA: Pizza Hut  Moose Ridge Inc. DBA: Sir G's Italian Restaurant</p>
<p><b>OFF-SALE 3.2 NON-INTOXICATING MALT</b>  Zupancich Brothers Inc.  Ely Northland Market  Pamida Stores Operations Co. LLC</p>	

**OPEN FORUM**

Duane Whalen thanked the organizers of the Boundary Waters Blues Festival and he would support the festival being held in the same location next year.

Mike Jankovec thanked the Police Department, Director Langowski, Fire Chief Gerzin, Attorney Klun, Clerk Boese, JJ Day and Ken Hegman, all the volunteers and the surrounding neighbors for their support of the Blues Festival. Next year will be the 10 year anniversary and will include an additional day (Sunday).

Mayor Skraba suggested the city find a new location for the festival next year in the event that Duluth Metals builds a building on the site that was used for this year.

Moved by Omerza supported by Salerno to adjourn at 7:50 p.m. Motion carried unanimously.

Terri Boese  
Clerk/Treasurer