

Ely City Council Regular Meeting March 1, 2011

The Ely City Council Regular Meeting was called to order by Mayor Skraba at 6:05 p.m. on March 1, 2011 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 minutes of February 15, 2011 Regular Meeting as presented. Motion carried unanimously.

Additions & Omissions to Agenda:

1. Clerk/Treasurer - 9Ai – FDIC regarding Boundary Waters Bank Consent Order
2. Clerk/Treasurer – 9Aii – Annual Audit
3. Library Director – 9Ci – Library Report
4. Library Director – 9Cii – Update on Copy Fees
5. Operations Director – 9Dii – Snow Plow Policy
6. Building Official – 9Hi-iii – delete
7. City Attorney – Fii – delete

Moved by Zupec and supported by Salerno to approve Additions and Omissions 1-7 listed above. Motion carried unanimously.

CONSENT AGENDA

- A. Authorize Assistant Clerk to attend Excel Workshop in Duluth on May 5, 2011
- B. Authorize George Burger to attend: Regulating Urban & Suburban Agriculture on May 25 in Arden Hills & Beyond the Basics of Planning and Zoning on April 19 in St. Cloud
- C. Authorize staff and council to attend RAMS Annual Membership Meeting March 11 in Virginia
- D. Authorize council to attend Legislative conference for Cities, Counties, schools and Townships on March 23 & 24 in St. Paul

Moved by Debeltz supported by Nikkola to approve consent agenda items A-D as presented above. Motion carried unanimously.

COMMITTEE REPORTS

Council member Omerza reported on the past TAB meeting and their request to present to the Council whether to continue with ELY TV or to request proposals from other interested parties. Moved by Omerza and supported by Debeltz to request proposals for city broadcasting. After discussion the motion and second were rescinded. Information will be gathered and the issue will be revisited at the next Council Meeting on March 15th.

Mayor Skraba reported on St Louis County, Duluth Days. He spoke with Senate Chairs, House Chairs and staffers regarding the upcoming Bonding Projects. He also commented on the success of the Wolf Track Classic Dog Sled Race that was held in Ely February 27th & 28th. Mayor Skraba extended a “Thank You” to all those in our community that volunteer for various organizations and the various functions that occur throughout the year help that bring in revenue and good will to the City.

Nikkola gave an update on the Storefront Grant Program. Six of the seven Tier 1 applications were accepted by the Storefront committee to be sent to St Louis County for their approval. Once approved by the County, each application will be have a financial review done by Attorney Klun’s office. Ely is the pilot project and we hope to be refunded again next year. Nikkola reminded everyone of the various low interest loans offered by the City to help business and home owners with their building projects.

Omerza spoke of the MidContinent Communications contract coming due in 2012. The TAB Committee is looking at the contract now and would like any input from the council members as to what they would like to see added to or omitted from the contract. Boese will distribute the contract to council members for review.

DEPARTMENTAL REPORTS

Clerk-Treasurer

Boese informed the Council of the FDIC filing of a Consent Order on Boundary Waters Bank. She will review the Order with Gary Giroux . She also reminded the Council Giroux will be conducting the annual audit next week.

Library Director

Heinrich gave an update on the Library Usage Report for 2010 and requested the council approve raising current copy fees which have been the same for 13 years.

Moved by Zupec and supported by Nikkola to raise copy prices throughout the city to twenty cents per page and thirty cents for colored copies. Motion carried unanimously.

Operations Director:

EUC Consent Agenda Items: The following items of business were recommended for approval at the regular EUC meeting of Wednesday, February 23, 2011

- a. Denied the request for water delivery for a dry well and updated the water delivery policy.
- b. Approved the purchase of an air compressor for the WWTP from John Henry Foster for \$5,750.00.
- c. Approved the purchase of a 75 KVA 3 Phase transformer from B&B Transformer for \$2,350.00 for the Twin Metals facility.
- d. Approved payment of the January, 2011 bills payable for \$397,908.70.
- e. Approved payment of the Applied Industrial Technologies invoice for \$10,319.84 for repair of the 8" Sykes pump.

Moved by Zupec supported by Salerno to approve consent agenda items a-e as presented above. Motion carried unanimously.

Langowski reminded the public of the city's Snow Plow Policy which states that sidewalks are the homeowner's responsibility and if icy there is free sand/salt mixture at the Joint Maintenance Facility for people to use. Also the city plows snowfall of four inches or more. This policy will be printed in the newspaper as well.

Police Chief

Officer Lahtonen will not be attending the Police Chief's Conference this year due to staffing shortage.

City Attorney

Attorney Klun spoke of the request from Clifford & Barbara Cyriacks for the City to exercise its right of re-entry on lot in East Spaulding which they purchased in 2009. The Cyriacks have since bought the adjacent lot which has an existing home.

Moved by Zupec and supported by Salerno to go with past practice and allow the Cyriacks to put the property up for sale and not exercise the right of re-entry. Motion carried unanimously.

Moved by Zupec and supported by Debeltz to accept St. Louis County's request for Highway Easement as presented. Roll call: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Shedly-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

Attorney Klun presented the redrawn portion on the proposed map for the land exchange between the City of Ely and the Latourells which would give them the land in question in exchange for the right-of-way to the Trezona Trail. The new line abuts the shoreline of Miner's Lake. If line is approved by the council then the surveyor will be asked to write a property description for the line.

Moved by Nikkola and supported by Omerza to accept the new line for the land exchange and authorize a new property description be drafted. Motion carried unanimously.

Attorney Klun went over again the interpretation of the Minnesota Statutes regarding the rental of the Community Center by the American Legend veteran's organization. Dick Zahn clarified to the council that it is not the Legion paying for the dinners but it is the past Commanders themselves that provide and pay for this dinner once a month. Many who attend are from the VFW as well. Gerald Tyler said that he had spoken with the Attorney General's Office and found that there are no past case laws regarding this situation because no other City charges their Veteran Organizations to use public facilities. He also stated that in 1997, the Legion was given permission by the City Council to use the kitchen and meeting room in the Community Center for free.

Ely City Council Regular Meeting March 1, 2011 Continued

Moved by Nikkola and supported by Sheddy to keep the existing policy for renting the community center for the American Legion. Roll call: Debeltz-no; Nikkola-yes; Omerza-yes; Salerno-no; Sheddy-yes; Zupec-yes; Mayor Skraba-no. Motion carried.

COMMUNICATIONS

The council reviewed the following communication items:

E. LMC 4M Fund's new term series investment pools offered on Feb 28 & closes March 3

Moved by Zupec and supported by Salerno to designate LMC 4M Fund as official depository. Motion carried unanimously.

F. 2011 Local Board of Appeal & Equalization meeting, April 28 5-6 p.m.

G. Minnesota Historical Society Meeting Invitation

H. Morse and Fall Lake Boards to meet on March 16

I. Press Release – Lake County Hires Management Team for Fiber-Optic Telecommunications Project

J. Thank You Letter from ISD 696 for the Cities donation of \$3,724.00 for the Ely community Education Program

CLAIMS FOR PAYMENT

A. City and EUC claims for February, 2011 in the amount of \$113,194.24

B. LMC Workers Compensation Insurance 1st Quarter payment \$16,532.00

C. RLK, Invoice – Ely City Engineer 2010-2011 \$0

D. RLK, Invoice – Engine House Demo, \$333.75

E. RLK, Invoice – Central Avenue Improvements \$447.50

F. US Bank – GO Refunding Bond of 2003 \$63,420.00

Moved by Nikkola supported by Debeltz to approve claims for payments A-F 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 Nikkola and supported by Zupec to approve extending the TIF District and to send it to Northland Securities and Mary Frances Skala to draft language that can be sent to legislature. Motion carried unanimously.

NEW BUSINESS

Moved by Debeltz and supported by Nikkola to approve the Hidden Valley Trail Grant Application as presented. Motion carried unanimously.

Moved by Nikkola and supported by Salerno to approve the request of the MN DNR to remove the motor house at Hidden Valley. Motion carried unanimously.

Moved by Debeltz and supported by Nikkola to approve the 2011 Ely Area Capital Improvements Project for the Ely Municipal Airport as presented. Motion carried unanimously.

Moved by Salerno and supported by Debeltz to approve the Bingo permit requested by the Knights of Columbus Council 3238 for April 10, 2011 at St. Anthony's Church. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Sheddy-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Debeltz and supported by Sheddy to approve the raffle permit for the Listening Point Foundation for September 9, 2011 at the Grand Ely Lodge. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Sheddy-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Omerza supported by Debeltz to adjourn the meeting at 7:15 p.m. Motion carried unanimously.

Terri Boese
City Clerk/Treasurer