

Ely City Council Regular Meeting April 19, 2011

The Ely City Council Regular Meeting was called to order by Mayor Skraba at 6:00 p.m. on April 19, 2011 at the Ely City Hall.

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

ABSENT: Council member Salerno (1)

Moved by Zupec supported by Debeltz to approve minutes of April 5, 2011 Regular Meeting. Motion carried unanimously.

ADDITIONS TO AGENDA:

- A. Addition 12D – 2nd Reading of the Rental Ordinance
- B. Addition 9Df – Whiteside Playground Task Force

Moved by Zupec supported by Debeltz to approve additions to the agenda A & B as listed above. Motion carried unanimously.

MAYOR'S REPORT

Mayor Skraba reminded everyone of the Local Board of Appeal and Equalization Meeting April 28, 2011 from 5-6pm. This meeting is for anyone with questions regarding the valuation of their property.

Mayor Skraba attended the 5th & 6th Grade Play and remarked that it was phenomenal and he hopes the school will use it as a marketing tool.

CONSENT AGENDA:

- A. LMC – Land Use Training, Approve Planning & Zoning Commission, City Council and staff to participate (\$30/each, up to 6 - Maximum cost \$180)
- B. Change next Study Session date from May 31st to May 24th
- C. 2011 Regional Affordable Housing Dialogues, authorize City Council and staff to attend May 4, 2011 in Mt. Iron from 10 a.m. – 3 p.m.

Moved by Debeltz supported by Zupec to approve consent agenda items A-C as presented. Motion carried unanimously.

REQUESTS TO APPEAR:

Mike Hillman was not able to attend the meeting but did request the council approve his request to apply for the Vermilion Range Historical Writing/Research Study Grant. Moved by Debeltz and supported by Zupec to approve Mike Hillman's request to apply for the grant. Motion carried unanimously.

COMMITTEE REPORTS

Sheddy stated that there is an opening on the HRA Board. Applicants must live within the HRA units. If no one applies for the position within the HRA units then applications from the general public would be accepted.

Omerza reviewed the Future of the League Task Force meeting she attended, regarding the problems that cities face. It will go to full League Board and then steps will be taken to try and solve these problems. She noted that no matter how big or small the city, there problems are the same.

Omerza reminded everyone of the Chamber's area wide Rummage Sale on May 20th & 21st and of the EADA Mixer on May 4th at 5:00 p.m. at the Queen City Federal building where the Playground Task Force will review their plans for the new playground in Whiteside Park. She also stated that the City is accepting applications for Volunteer of the Year Award and Youth Volunteer of the Year Award and these can be turned into the Clerk's office. If there are any questions, they can be directed to the Clerk/Treasurer.

Omerza informed everyone that some of the Whiteside playground equipment is in disrepair and will be taken down and removed this week.

Nikkola reported that the Employee Relations meeting had been canceled this week. There are no projects for the council to take action on from the Projects Committee and the storefront grants will be discussed during the EEDA meeting.

Ely City Council Regular Meeting April 19, 2011 Continued

Debeltz reported on the Cemetery Committee meeting where they discussed the purchase of a columbarium. The committee requested Operations Director Langowski attend the next meeting to discuss this project. Also discussed was dedication of Cemetery Gardens and a message center board.

Mayor Skraba met with the International Joint Commission on the Border Waters in Orr and discussed the different watershed issues. He also met with the Rotary Club where Commissioner Sertich spoke about the IRRRB. He attended the Mesabi Trail Work Group annual appreciation dinner where they discussed the trail between Tower and Bear Head Lake State Park and developing a route between Bear Head and Ely.

Mayor Skraba thanked everyone who put on the Empty Bowl for the Ely Food Shelf at the Catholic Church and those who attended making it a great success.

DEPARTMENTAL REPORTS

Clerk-Treasurer

Clerk Boese reported on the Loss Control Workshop that she and Operations Director Langowski attended. They talked about unfunded mandates which included Sign Retroreflectivity Federal Regulation that begins in January 2012. She requested council members discuss this issue when talking with legislatures as the potential cost to the city could be \$250,000 - \$300,000.

Moved by Nikkola supported by Zupec that the council goes on record for opposing the Sign Reflectivity Mandate. Motion carried unanimously.

She also attended the Leagues Regional Safety Group meeting in Mountain Iron and feels this would greatly benefit the City of Ely. She requested the council approve joining the LMS Regional Safety group program and authorize her to contact other area cities to see if they are interested in joining in this cost saving venture with the City of Ely.

Moved by Omerza and supported by Zupec to join the League of MN Cities Regional Safety Group, organize a City Safety Committee and invite area cities to join along with Ely. Motion carried unanimously.

Fire Chief

Moved by Sheddy supported by Zupec to authorize the Fire Department to purchase a used Jaws of Life for \$1,200.00. Motion carried unanimously.

City Operations Director

EUC Consent Agenda Items: The following items of business were recommended for approval at the regular EUC meeting of Wednesday, April 13, 2011:

- A. Approved increasing the hourly wage for the Water/Wastewater Chief Operator by \$2.31 to \$24.74 per hour effective April 1, 2011. Correction from the March 23, 2011 meeting.
- B. Approved contracting with WECC for managing the CIP Rebate Program.
- C. Recommended awarding the bid for the water plant demolition to Blue Earth Environmental Company for \$139,000.00.
- D. Approved the purchase of postage for \$3,000.00 for the billing office meter.
- E. Approved payment of \$4,154.51 to John Henry Foster for repair of the compressor at the WWTP.
- F. Whiteside Playground Task Force

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

Kara Polyner and Nichole Van Der Hayden updated the Council on the progress of the Playground Task Force. They are ready to go out for bids. Projected total to complete the project is \$100,000. The City has \$20,000 budgeted this year for the project. The Task Force will host the following fundraisers: Bingo in the Park on the 4th of July, brat sales, radio ads, weekly updates in the newspaper, Facebook with link on the City website, and selling pavers with donor's names on them which will be installed around the picnic area. The projected completion date is June 1, 2012.

Operations Director Langowski stated the project bids will be bid in segments. He will start advertising for bids the first or second week in May. He noted that one of the existing playground pieces will need to be taken out this week due to its unsafe condition.

Ely City Council Regular Meeting April 19, 2011 Continued

Motion by Omerza supported by Nikkola to have Langowski continue working with the Task Force to prepare spec's and proceed with bid notification. Motion carried unanimously.

Police Chief

Moved by Omerza and supported by Debeltz to send a "Thank You" note to Chief Lahtonen for getting the bulletproof vests costs down from \$1000/vest to \$145/vest through Federal and State grant funding. Motion carried unanimously.

City Attorney

Attorney Klun reported on Ely TV Addendum to contract. Moved by Debeltz supported by Zupec to approve the amended Addendum to Ely TV Contract removing the requirement to film School Board meetings. Motion carried unanimously.

Attorney Klun stated that under current Ordinance, Dee's Bar request for a Sunday Liquor License would not be allowed since they do not meet the threshold of a restaurant with 60/40 food/liquor sales. Klun stated the Council would need to make a decision on whether to stay with the way the Ordinance is written defining a restaurant as having a 60/40 split or move to the State Statute definition as "having prepared food". By changing the ordinance to the State Statute wording for the definition of a restaurant would then potentially allow Dee's Bar and other bars to obtain a Sunday liquor license.

Zupec argued that the wording in the State Statute was unclear where bars are concerned and would like to speak with the State Liquor Commission for their interpretation of the State Statute.

Debeltz was in favor of allowing Bar's Sunday liquor license as it would give them an opportunity to make the extra revenue they need to survive in this economy.

Moved by Nikkola and supported by Shedly to have Klun, Zupec, and the Liquor Committee meet and make a recommendation on the liquor ordinance with regard to bars selling liquor on Sundays. Motion carried unanimously.

Klun reviewed Ely Bowling Center's request to play music outside until midnight on July 4th. In order to grant this request the Council would have to amend the ordinance. Shedly pointed out that the 4th of July is on a Monday and he is opposed to allowing music that late.

Moved by Shedly and supported by Nikkola to deny Ely Bowling Center's request to allow music until midnight on July 4th. The council approved their request to allow live music as follows: Sunday, May 29th from 6:00-9:00pm, on Monday, July 4th from 8:00-10:00pm and on Sunday, September 4th from 6:00-9:00pm. Motion carried unanimously.

Klun informed the council she would have final update on the DNR Hidden Valley Lease for the next meeting.

Klun asked the city to postpone the 2nd Reading of the Rental Ordinance in order to clarify a couple of issues with the League attorneys. Shedly asked to have those issues brought forth at the next Study Session.

CLAIMS FOR PAYMENT

- A. City and EUC claims for April, 2011 - \$473,266.12
- B. LMC Insurance Trust – claim #11063726 - \$1,000.00

Moved by Debeltz supported by Zupec to approve payment of claims A-B as listed above. Motion carried unanimously.

OLD BUSINESS

Moved by Omerza supported by Nikkola to waive readings in entirety of all ordinances and resolutions on tonight's agenda. Motion carried unanimously.

Shedly presented information on Outlot C, East Spaulding First Addition which is owned by the city. It is a non-buildable lot as it is wetland. Three adjacent property owners would like to split the property and purchase it to use as a buffer zone. Moved by Debeltz and supported by Nikkola to authorize Attorney Klun to proceed with process of getting a valuation of the land in order to sell it. Skraba stated he would prefer the city keep 25 more feet from the

Ely City Council Regular Meeting April 19, 2011 Continued

75' line now (South & East) and ask for an easement on Lots 2 & 1 to the West for the possible sloping of the road. Motion carried unanimously.

Moved by Zupec and supported by Omerza to approve the resolution authorizing the Cities membership in the League of MN Cities 4M Fund. Roll called: Debeltz – yes, Nikkola – yes, Omerza-yes, Shedly – yes, Zupec – yes and Mayor Skraba – yes. Motion carried unanimously.

No action was taken on the 2nd Reading of the Rental Ordinance due to some language issues which Attorney Klun needs to clarify. The 2nd reading will be ready for council action at the first regular meeting in May.

NEW BUSINESS

No action was taken on the Resolution for City Fees. It will be reviewed by all departments and presented for approval in May.

Moved by Omerza and supported by Zupec to approve Ely Community Resources request for authorization to clean Semer's Park on May 17th & 18th. Motion carried unanimously.

Moved by Omerza and supported by Shedly to approve the appointment of Darren Visser as a VCC representative to the Ely Park & Recreation Board. Motion carried unanimously.

Moved by Debeltz and supported by Zupec to approve Dorothy Molter Memorial Foundation request for Raffle Permit. Roll called: Debeltz – yes, Nikkola – yes, Omerza-yes, Shedly – yes, Zupec – yes and Mayor Skraba – yes. Motion carried unanimously.

Moved by Debeltz and supported by Omerza to approve the request from the Ely Garden Club for their annual appropriation of \$500 for beautification projects. In discussion Omerza and Skraba extended their "Thank You" to the Garden Club for all of their hard work. Motion carried unanimously.

Moved by Shedly and supported by Omerza to approve the Wine License for Jewell Designs, Inc, dba Organic Roots pending the receipt of all required paperwork. Roll called: Debeltz – yes, Nikkola – yes, Omerza-yes, Shedly – yes, Zupec – yes and Mayor Skraba – yes. Motion carried unanimously.

Moved by Omerza supported by Nikkola to adjourn meeting at 7:08pm. Motion carried unanimously.

Terri Boese
Clerk/Treasurer