

Ely City Council Regular Meeting June 7, 2011

The Ely City Council Regular Meeting was called to order by Acting Mayor Salerno at 6:00 p.m. on June 7, 2011 at the Ely City Hall.

PRESENT: Council members Debeltz, Omerza, Shedly, Zupec and Acting Mayor Salerno (5)

ABSENT: Council member Nikkola and Mayor Skraba (2)

Motion by Debeltz supported by Zupec to approve the minutes of May 17, 2011 Regular Meeting and May 18, 2011 Special Meeting as presented. Motion carried unanimously.

ADDITIONS AND OMISSIONS TO AGENDA:

- A. Add Fiii – Communication Policy
- B. Add Fiv – City Learning Point
- C. Added by Debeltz to send a “Thank You” to Cemetery Committee for work done and he also extended a “Thank You” to Harold and his crew for their work on the Softball Fields.

Motion by Shedly supported by Debeltz to approve additions and omissions to the agenda A-C as listed above. Motion carried unanimously.

REQUESTS TO APPEAR:

Carol Linneman did not appear before the council.

COMMITTEE REPORTS

Motion by Omerza and supported by Debeltz to accept the Park and Recreation Committee’s Recommendation and spend the Reader’s Digest \$10,000 prize money on new playground equipment. In the discussion, Zupec expressed his concern about the buildings in the parks needing new roofs and strongly suggested the money be used for repairs or used as leverage to apply for grants. Motion carried 4 to 1 with Zupec voting no.

Council member Omerza also stated the Library Reading Program sign up starts tomorrow, June 8th and the next Park and Rec meeting will be June 20th at 6:00 p.m. at Semer’s Park to go through all the buildings and see what needs to be done. The Employee Relations meeting is changed from June 9th to June 16th at 5:30 p.m. at City Hall.

Council member Shedly reminded everyone to keep their lawns cut as per City Ordinance. He also stated the Sanitation Clean-up day went well and Thanked Cheryl Anderson and John Braun for their assistance that day. Shedly said discretion was used in allowing a few non-Ely residences to drop of their items as well.

Motion by Shedly and supported by Omerza to approve the Planning and Zoning recommendation to approve interim use permits for Ely 4X4 walk/run to be held July 4th on the Trezona Trail and the Rendezvous in the Park on August 11th -14th in Whiteside Park. Motion carried unanimously.

Zupec reported that the Fire District Meeting went well and it seems to be moving forward.

DEPARTMENTAL REPORTS

Clerk/Treasurer Boese reported that a St Louis County Planning and Community Development Staff are conducting a workshop for the 2011 CDBG Award recipients on Wed., June 15 at 10:00am to Noon in the Mount Iron Community Center. Motion by Zupec and supported by Debeltz to approve staff and council to attend. 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, May 25, 2011:

- A. Approved sending a letter of thanks to the Municipal Group Negotiating Team for the Minnesota Power contract.
- B. Approved purchase of sand filter parts from Vessco, Inc. for \$1,144.80 for the WWTP.
- C. Approved allowing a second meter for the Kat’s Drive-In Liquor ice machine.
- D. Approved payment of the April, 2011 bills for \$407,714.26.
- E. Approved payment of the KBM, Inc. Invoice #041119 for engineering services for \$370.00.
- F. Approved payment of the Minnesota Department of Health Community Water Supply Service Connection Fee for \$2,981.00.
- G. Approved payment of Patterson Pump Company Invoice #120005 for \$2,938.14 for high lift pump parts.

Ely City Council Regular Meeting June 7, 2011 Continued

Motion by Debeltz supported by Zupec to approve EUC consent agenda items A-G as presented above. Motion carried unanimously.

City Attorney

Attorney Klun discussed the request by the LaTourell's for a temporary easement that would last 5 years to allow them to drive a short distance on the Trezona Trail in order to access their property. Concerns were for the safety of the pedestrians on the trail and also the wear and tear of the trail itself through the use of a vehicle. There would have to be some signage placed on the trail stating "Caution: Watch for Motorized Vehicles" and also stating limits as to the size and weight of the vehicles allowed to use the trail. As long as the Council is in agreement with the scope of this request, Attorney Klun will finalize the draft of the easement/land exchange and present it at next council meeting for review.

Attorney Klun discussed the lease agreement between the City of Ely and the American Legion Post #248. Some of the changes to the agreement by the Legion were: expanding the agreement to add certain documents; add a waiver of subrogation in case of an accident in the facility and to ensure they are not personally liable for anything that occurs. It was agreed that Attorney Klun would set up a meeting to discuss the additional terms requested by the American Legion Post #248 and also the hours they plan on using the Community Center beyond normal business hours. Council members Zupec and Debeltz offered to attend the meeting on behalf of the council.

Motion by Debeltz and supported by Zupec to approve Attorney Klun's request for the Communication Policy to go to Employee Relations for their review and then it will be presented back to the council. Motion carried unanimously.

Attorney Klun reported that the League is designing an E-Learning interactive database particularly for issues with land use. The City would get some premium reductions for taking these on-line courses. It will be brought to Planning and Zoning as well.

COMMUNICATIONS:

Motion by Debeltz and supported by Shedly to send a "Thank You" to the Town of Morse for their \$500 donation to the 2011 Ely Fireworks Display. Motion carried unanimously.

Acting Mayor Salerno spoke about the Arrowhead Transit bus reducing their service from five days down to two days a week in the City of Ely which will take effect on June 13, 2011. He asked for ideas from anyone on how Ely could keep the bus service five days a week to contact the City Clerk. Zupec also suggested contacting Representative Dill and Senator Bakk with concerns on this issue.

CLAIMS FOR PAYMENT

- A. City and EUC claims for June, 2011 - \$152,263.51
- B. RLK, Invoice #3 – Ely Water Treatment Plant Demolition - \$302.50
- C. RLK, Invoice#4 – Ely City Engineer 2010-2011- \$0.00

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

OLD BUSINESS

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

Motion by Zupec and supported by Shedly to remove the following property on 29 E Chapman St (030-0010-01600) from the County's list of tax forfeited parcels for the city's possible use of the facility as a Serviceman's Club. Motion carried unanimously.

NEW BUSINESS

Motion by Debeltz and supported by Zupec to accept and "Thank" Essentia Health for their gift of the Old Clinic building and property to the City of Ely. Motion carried unanimously.

Motion by Debeltz and supported by Shedly to approve the request by the Ely Jaycees for a temporary liquor license for July 29-31 and approve the waiver of the police coverage requirement. Motion carried unanimously.

Ely City Council Regular Meeting June 7, 2011 Continued

Motion by Omerza and supported by Sheddy to approve Resolution for the establishment of a Regional Safety Group as follows:

WHEREAS, Minnesota Statutes, Section 471.59 authorizes governmental units by agreement of their governing bodies to jointly or cooperatively exercise any power common to them; and

WHEREAS, the League of Minnesota Cities Insurance Trust has created the Regional Safety Group Initiative to offer training to cities/entities who form regional safety groups; and

WHEREAS, the City Council finds that it is in the best interest of the City to join the Regional Safety Group (the "RSG") previously formed by an agreement of other cities (the "Establishing Agreement"); and

WHEREAS, the Establishing Agreement allows other cities/entities to become members of the RSG upon adoption of a resolution agreeing to all terms of the Establishing Agreement,

NOW, THEREFORE BE IT RESOLVED, the City of Ely, Minnesota:

1. Authorizes Frank Salerno and Terri Boese to sign this resolution evidencing the city's intent to become a member of the RSG; and
2. The City of Ely agrees to be bound by all the terms of the Establishing Agreement.

Roll Call: Debeltz-yes, Omerza-yes, Sheddy-yes, Zupec-yes and Acting Mayor Salerno-yes. Motion carried unanimously.

Motion by Debeltz and supported by Zupec to approve the Resolution in support of the Fire District Development Agreement as follows:

WHEREAS, the Informal Fire District Study Group represents a wide cross section of area citizens concerned for provision of high quality and low cost fire protection; and

WHEREAS, the said group has proposed to develop a Fire District model that offers to the communities an opportunity to create an independent fire district in accord with the principles and objectives delineated in this resolution; and

WHEREAS, the governing body of the City of Ely has determined that the development of a Fire District is a worthwhile project and worthy of support;

BE IT THEREFORE RESOLVED, that the City of Ely lends its full support to the creation of a Fire District development agreement as follows:

1. The Informal Fire District Study Group is appointed to serve as an official Fire District Study Committee (FDSC) of the City of Ely and shall make such interim reports as the FDSC deems appropriate. The FDSC shall submit a complete recommendation no later than 12/31/11.
2. The FDSC shall be encouraged to seek grant funding and said funding shall receive full support and letters of endorsement upon FDSC request for purposes of furthering the work product.
3. The City of Ely agrees to cooperate with the FDSC and any consultants and provide information necessary to further its work.
4. The FDSC is directed to utilize consultants and/or the Fire/EMS/Safety Center of St. Paul, MN in the preparation of fair share expense identification leading to the development of recommended tax rates in support of the independent fire district.
5. The City of Ely agrees to appoint our fire chief to the FDSC.

NOW, THEREFORE, in the consideration of the objectives and principals stated above; the City of Ely hereby pledges to consider the finished work product of the Fire District Study Committee in a timely manner. Roll Call: Debeltz-yes, Omerza-yes, Sheddy-yes, Zupec-yes and Acting Mayor Salerno-yes. Motion carried unanimously.

Ely City Council Regular Meeting June 7, 2011 Continued

Motion by Debeltz and supported by Zupec to approve request by Amici's for an On Sale and Sunday Liquor License pending the receipt of required paperwork. Motion carried unanimously.

Motion by Zupec and supported by Shedly to have Attorney Klun change the city ordinance regarding the 60/40 sell of food requirement for a Sunday liquor license and also change the financial requirements stated in the ordinance to obtain a license. It was also requested to invite the Liquor Commission to the next Study Session on June 28th. Motion carried unanimously.

Motion by Debeltz and supported by Zupec to approve the Master Subscriber Agreement between City of Ely and State of Minnesota to allow the police department to charge electronically for criminal charges through the Minnesota Court Data Services. Roll called: Debeltz-yes, Omerza-yes, Shedly-yes, Zupec-yes and Acting Mayor Salerno-yes. Motion carried unanimously.

Motion by Debeltz and supported by Zupec to approve the request of the Ely-Winton Historical Society to write a grant to cover expenses on the renovation and repairs of the mural at the Northern Lakes Arts Association office. Motion carried unanimously.

Motion by Debeltz and supported by Zupec to approve the request by Ely Greenstone for a temporary liquor license for the Chosa Art Exhibit on June 24th and the Art Show Gala on July 23rd. Motion carried unanimously.

Council Member Omerza mentioned that the Charter Commission has an opening for a new member. She questioned if the Council could recommend that they pick from the previous applicants for Charter membership or does it have to be posted to the public. Attorney Klun suggested asking the Charter Commission what their process will be in choosing another member.

Omerza gave an update on the City's new VOIP phone system. She stated that the new system will save the City over \$1,100 per month. It is a long distance number but City Hall can still be reached by calling 365-3224 plus there is an 800 number as well. The change resulted as a recommendation of the TAB Committee.

OPEN FORUM

Duane Whalen asked the council questions regarding the Arrowhead Transit Bus and the Reader's Digest Contest monies.

Motion by Debeltz supported by Omerza to adjourn meeting at 7:58 p.m. Motion carried unanimously.

Terri Boese
Clerk/Treasurer