

Ely City Council Regular Meeting September 6, 2011

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

PRESENT: Council members Debeltz, Nikkola, Omerza, Salerno, Sheddy, Zupec and Mayor Skraba (7)

ABSENT: None

Motion by Salerno supported by Zupec to approve the minutes of August 16, 2011 Public Hearing, August 16, 2011 Regular Meeting, August 23, 2011 Special Meeting, August 30, 2011 Special Meeting and August 30, 2011 Study Session as presented. Motion carried unanimously.

ADDITIONS TO AGENDA

- A. Council member Debeltz extended a “Thank You” on behalf of the Council to Harold Langowski and the Public Works Crew for their help with the Soft Ball Tournament that was held in Ely last weekend.
- B. Addition 5A - Validity of Budget Committee
- C. Addition 5B - Thank You to J.J. Day Construction
- D. Addition 5C - Fires – Controlled Burns
- E. Addition 5D - AEOA Meeting

Motion by Zupec supported by Debeltz to approve additions A-E to the agenda as listed above. Motion carried unanimously.

MAYOR’S REPORT

Mayor Skraba thanked the Budget Committee for their work on the 2012 budget.

Mayor Skraba thanked J.J. Day and his crew for donating their services to the Whiteside Park project. They assisted in the installation of the new playground equipment. Council member Omerza thanked the volunteers who worked over Labor Day weekend to set up the new playground equipment: Norma Malinowski, John and Patrick Huisman, Seraphine Rolando, Tim Mannuzza (VCC student), Pat Stewart-Nettifee and Nate, Melanie, Grant and Gabby Hutar, Christine Mosher and Emmett and Maarja Faltsek, Melissa Dirk and kids, Molly, Jerritt, Jasper and Gabi Johnston, Morgan and Mason Folz, Elton Brown, Joey Pierce, Josh Heiman, Shane Spangler, Chris Anderson, Kalli Hotaling, Nicole Vander Heiden, Kara Polyner, Al Soderfelt, Bruce- MNDOT employee, Elizabeth, Evan and Eric Omerza, other individuals and children who offered to help.

Midwest Playscapes Workers, who made this happen in 2 days, included: Bryson Pudwill, Shawn Heideman and Adam Washburn.

Contributors to removal and installation: J.J. and Josh Day; the GMen; Subway; Ely Northland Market; Ely Golf Course; Mark Crenshaw - Bear Island Surveying; and Kara Polyner.

City Employees included: Heidi Omerza; Gordon Sheddy; Harold Langowski; Public Works and Utilities Workers including Butch Gornik and Mike Popesh; and the Ely Police Department.

Mayor Skraba stated that there are several fires in the area of which some were prescribed burns set by the Forest Service. If anyone needed more information on the fires they should call the Forest Service directly or they can visit the website, www.inciweb.org/incident/2534, for information on the Pagami Creek fires.

Mayor Skraba stated there will be an AEOA Hearing on September 19, 2011 at 4:00 p.m. at the Senior Center regarding the Arrowhead Transit Bus. People are invited to come with ideas regarding the decrease of hours for the local transit bus.

CONSENT AGENDA

- A. Motion to waive readings in entirety of all ordinances and resolutions on tonight’s agenda.

Motion by Salerno supported by Zupec to approve consent agenda item A as listed above. Motion carried unanimously.

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COMMITTEE REPORTS

Council member Nikkola stated there would be a Negotiations Committee meeting September 7th at 8:30 a.m. in the Board Room at City Hall.

Council member Omerza reported that the Library was now on Twitter at “elymnlbrary”. A list of grant options was sent to the Projects Committee on behalf of the Playground Task Force. Also, there is a new internet contest called “Pepsi Refresh Project” for a chance to win \$50,000 toward rebuilding community’s playground. Omerza mentioned the Park and Rec Board meeting will be held on Monday, September 12 at 6:00 p.m. in the Whiteside Park Pavilion.

Mayor Skraba spoke about attending the open house at the Boy Scout Camp with Council member Sheddy. Sheddy remarked on the impressive new building.

DEPARTMENTAL REPORTS

Clerk/Treasurer Boese reported on the notice of non-compliance received from Pay Equity. Passing requirement is 80% and the city is at 79.41%. Boese spoke with Zwemke (Pay Equity Dept) and reviewed the report with her. It will be resubmitted to include longevity pay for the clerk since that was added to Boese’s new employment contract. Zwemke stated she believes that will bring the city into compliance.

Motion by Sheddy and supported by Nikkola to adopt by the following resolution approving and adopting the proposed tax levy collectible in 2012:

WHEREAS, the city of Ely is required by Minnesota Law to adopt a proposed levy for 2012, and to certify it to the St Louis County Auditor.

NOW, THEREFORE BE IT RESOLVED that the Ely City Council adopts and approves the following sums of money to be levied for the current year, collectible in 2012, upon taxable property in the City of Ely, for the following purposes:

General Fund	\$ 1,392,600
Library	254,800
Debt Service	<u>\$ 193,400</u>
Total Levy	\$ 1,840,800

BE IT ALSO RESOLVED, that the Ely City Clerk/Treasurer is hereby instructed to transmit a certified copy of this resolution to the County Auditor of St. Louis County, Minnesota.

Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Sheddy-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

Motion by Nikkola and supported by Debeltz to approve the following budget adjustments in the amount of \$40,000 to complete the Community Center roof repair project: 225-41950-520 Capital Improvements EEDA Building decrease \$8,000; 101-42200-720 Fire Dept. Operating Transfers decrease \$7,000; 101-41000-350 Contingency decrease \$17,000; Public Works Operating Transfers decrease \$8,000; and 101-41960-520 Capital Improvements Community Center Building increase \$40,000. 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, August 24, 2011:

- A. Approved Commercial LED Lighting Rebates for Edwards Oil, Inc. for \$1,500.00; Voyageur Short Stop for \$647.00 and WN Plumbing & Heating for \$1,370.40.
- B. Authorized Burntside pump house repair for \$3,900.00 to Anderson Construction Services, Inc.
- C. Authorized Bear Island Surveying, Inc. to move forward with the Burntside Power Line Wetland Delineation for \$6,800.00.
- D. Approved payment of the EUC July Bills List for \$391,068.40.
- E. Approved payment of the KBM, Inc. Invoice #071125 for \$21,095.83 for engineering for the Burntside Power Line Project.

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Motion by Omerza supported by Salerno to approve EUC consent agenda items A-E as presented above. Motion carried unanimously.

Motion by Shedly and supported by Zupec to accept Climate Makers bid of \$33,490.00 to replace three HVAC units in the Sato Building. Director Langowski will verify that freight, tax, wiring and warranty are included in the bid. Motion carried unanimously.

Operations Director Langowski gave an update on the Airport Crack Seal and Roof Repair projects. The original local share of the project was \$1,000 but is now \$17,000.

City Attorney

Motion by Nikkola and supported by Salerno to approve the 2nd reading of Ordinance 248, 2nd Series Amending Ely City Code Chapter 11, Section 11.43A subd. 2. Related to Variances Regulations. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Shedly-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

Motion by Debeltz and supported by Zupec to approve the 2nd reading of Ordinance 249, 2nd Series An Ordinance Renumbering Sections 6.05 and 6.06 of Chapter 6 of the City Charter. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Shedly-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

Motion by Zupec and supported by Salerno to approve the 1st Reading of Ordinance 251, 2nd Series amending the Ely City Code, Chapter 5, Sections 5.07.01 related to the alcoholic beverages licensing and regulations. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Shedly-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

Motion by Zupec and supported by Shedly to begin the process to annex by ordinance three parcels on the East side of the city. Attorney Klun will get further information on this matter. Motion carried unanimously.

Motion by Zupec and supported by Salerno to reimburse Mr. Katauskas the \$100 for the civil enforcement citation he received last winter. Motion carried unanimously.

Motion by Salerno and supported by Nikkola to adopt the changes to the Civil Enforcement Handbook as presented. Roll called: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-No; and Mayor Skraba-yes. Motion carried 6 to 1.

Motion Debeltz and supported by Salerno to post a notice for civil enforcement judges. Roll called: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-No; and Mayor Skraba-yes. Motion carried 6 to 1.

Motion by Zupec and supported by Debeltz to approve the purchase agreement with the Duluth Clinic along with the amendments pending results of the Phase I Environmental Site Assessment of the former Ely-Duluth Clinic Building. Motion carried unanimously.

Motion by Zupec and supported by Salerno to approve hiring NTS for \$2,200 for the Phase I Assessment of the Ely-Duluth Clinic Building which will be paid by the Duluth Clinic. Motion carried unanimously.

Motion by Debeltz and supported by Salerno to approve Canoe Country Title Co to provide title insurance on the Old Ely-Duluth Clinic property. Motion carried unanimously.

CITY ENGINEER

John Jamnick presented information on the White Street Alley project.

Motion by Nikkola and supported by Omerza to accept the Utilities Systems of America Inc Base Bid of \$243,000 with a \$14,000 deduction to do project in 2012 after road restrictions are lifted, with an estimated completion date of July 1, 2012. Motion carried unanimously.

CLAIMS FOR PAYMENT

- A. City and EUC claims for August, 2011 - \$320,592.73
- B. DSGW Architects – Invoice #1 – professional services on CC Reroof Project - \$5,808.51
- C. US Bank – GO Bond of 2003 - \$12,470.00

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- D. Ely Community Resource - 3rd quarter payment - \$3,140.00
- E. LMC – Workers Compensation -4th Installment - \$16,532.00
- F. LMC – General Liability Insurance – 4th Installment - \$32,729.00

Motion by Nikkola supported by Omerza to approve claims for payment A – F as listed above. Motion carried unanimously.

NEW BUSINESS

Motion by Shedly and supported by Omerza to approve the Resolution in support of the AT&T Merger with T-Mobile USA. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Shedly-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

The revised Library Director Job Description was presented to the Council for their review and approval.

No action was taken on the proposed sale of state tax forfeited lands.

Motion by Debeltz and supported by Zupec to approve the Northern Lights Clubhouse request to hold a raffle fundraiser on September 11, 2011 at 7:00pm in Whiteside Park. Motion carried unanimously.

Motion by Salerno and supported by Nikkola to approve the Resolution approving the State of Minnesota Joint Powers Agreement with the City of Ely on behalf of its City Attorney & Police Department. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Shedly-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

Motion by Debeltz and supported by Omerza to accept the recommendation of the Ely Charter Commission to appoint Jess Edberg as a new member. Motion carried unanimously.

OPEN FORUM

The 2012 tax levy hearing will be at the Senior Center or the Joint Facilities Building depending on availability on December 6, 2011 at 7:30 p.m.

The meeting was recessed at 7:12 p.m. and reconvened at 7:20 p.m.

The meeting was closed at 7:21 p.m. to conduct the annual review for Harold Langowski, Operations Director.

The meeting was reopened at 7:44 p.m.

Motion by Nikkola and supported by Debeltz that Harold Langowski, Operations Director has successfully completed his annual review. Motion carried unanimously.

The meeting was closed at 7:45 p.m. to discuss contract negotiations.

Council member Salerno left at 7:54 p.m.

The meeting reopened at 8:00 p.m.

Motion by Nikkola and supported by Omerza to adjourn meeting at 8:01 p.m. Motion carried unanimously.

Terri Boese
Clerk/Treasurer