

October 18, 2011 7:00 PM
Regular Meeting Ely City Council – Council Chambers, City Hall

1. CALL TO ORDER:

The Ely City Council Regular Meeting was called to order by Mayor Skraba at 6:00 p.m. on October 18, 2011 at the Ely City Hall.

2. ROLL CALL:

Present: Council members Debeltz, Nikkola, Omerza, Salerno, Sheddy, Zupec, Mayor Skraba (7)
Absent: None

3. ADDITIONS OR OMISSIONS TO AGENDA:

- A. Addition: 5A – Joint Meeting with School Board
- B. Addition: 13D – Knights of Columbus request to conduct a bingo

Motion by Salerno supported by Debeltz to approve Additions A-B to the agenda as listed above. Motion carried unanimously.

4. MAYOR'S REPORT:

Motion by Salerno and supported by Debeltz to schedule a Joint Meeting with the ISD 696 School Board in November. Motion carried unanimously.

5. CONSENT AGENDA:

- A. Authorize Mayor and/or Council members to attend Governor's Job Summit Tuesday, October 25, 2011 in St. Paul
- B. Authorize Fire Chief to attend the MSFCA Annual Conference October 20-22, 2011 in St Cloud, MN

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

6. COMMITTEE REPORTS:

Council member Debeltz stated that additional information on the Columbarium will be presented to the council once all the data has been gathered by the Cemetery Committee.

Council member Nikkola requested the meeting closed at the end to discuss union negotiation strategy.

Motion by Nikkola and supported by Debeltz to approve the street project from Conan and 2nd Ave E to Central Ave. Motion carried unanimously.

Motion by Nikkola and supported by Salerno to authorize the Budget Committee and Harold Langowski to put together facts and figures on a new building that would include the Library and City Administration offices and a Public Safety Building for the police and fire departments. Also, to construct a plan to bring the city's existing buildings up to current ADA Safety Codes. In discussion of the motion, Council member Debeltz expressed concern on what will happen to the Community Center and City Hall if new buildings are built. Nikkola stated the city needs to move forward to take care of the ADA issues, accessibility, energy costs, and old wiring of these old buildings. Figures should be available by the beginning of 2012 and a plan brought before the council sometime in January. Zupec agreed that a plan should come first to protect the city from future liability. He requested the motion include review of the plan by Attorney Klun. Motion carried unanimously.

Council member Omerza stated that a new amplifier for the council chambers should be installed by next week. She also stated that Duluth Metals donated computers to Ely Community Resource to be used at the Ely Recreation Center but they are a few months away from being up and running.

Motion by Omerza and supported by Debeltz to approve the Voluntary Waiver of Liability Agreement which parents/guardians and the youth would need to sign in order to use the computers at the Recreation Center since they will have access to the internet. Motion carried unanimously.

Motion by Omerza and supported by Debeltz to accept Jen Westlund's letter of resignation and to send a thank you letter for her service on the Library Board. Motion carried unanimously.

Omerza stated that she will be in the cities on Thursday for Part I on the League Board discussion on the 2012 Draft City Policies which are online and if anyone has anything to add they should contact her.

Council member Shedly reminded everyone of the Sanitation Committee meeting on Thursday, October 20, 2011.

Council member Zupc stated he would be attending the Heart of the Continent meeting in Winnipeg and can bring any ideas on job growth, etc that anyone has to offer.

Mayor Skraba stated the Alternative Energy Task Force Committee is looking at various ways to fund projects. He also explained how the Airport Committee is working on cutting operational costs by installing new lighting and a new heating system.

7. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

Motion by Nikkola and supported by Shedly to accept the Budget committee recommendation to purchase new fund accounting, payroll and utility billing software proposals A, B and C as presented by Civic Systems for a total of \$70,875 pending approval by the Ely Utilities Commission. Motion carried unanimously.

B. Library Director

Council member Omerza informed the council that Director Heinrich attended a Town of Morse meeting where she reported on the Library. The Town of Morse Board has agreed to donate \$10,000 to the Ely Library pending a legal document drawn up by the City Attorney and that the check will be presented to the Library Director.

C. Operations Director

- i. EUC Consent Agenda Items: The following items of business were recommended for approval at the regular EUC meeting of Wednesday, October 12, 2011:
 - a. Langowski reported on the ESA Phase I report for the Old Clinic Property which showed two oil tanks are in the basement.

Motion by Nikkola and supported by Shedly to authorize Attorney Klun to remove the contingencies from the purchase agreement of the Old Clinic Building with the City's acceptance of the ESA Phase I report. Motion carried unanimously.

Langowski also mentioned that calendar parking begins November 1st and expressed interest in starting calendar parking on October 1st next year to allow for leaf removal in the streets.

D. City Attorney

- i. Amicus Brief - AT&T filing letter and cost
Attorney Klun filed the City's intent to file an Amicus Brief regarding the FCC ruling on the AT&T cell tower on Fernberg Rd. The Amicus Brief filing will be due by the end of November at which time the City will need to decide if they will sign on to the County's Brief, file a Brief of their own or not take any action at all. If the city chooses to sign on to another Brief, the City must agree to the content of that Brief. Attorney Klun will forward to the Council the trail brief and the appeal document which contains the six issues that are being appealed. Council member Shedly suggested compiling their thoughts and concerns on paper to be presented at the next council meeting.
- ii. Annexation by Ordinance
Attorney Klun spoke on Annexation by Ordinance. She is at the final step of preparing the documents and sending them to the Board of Adjustment. The property is tax exempt but the future use of the property remains in question. All three properties are zoned in the Industrial Area but each can be used differently.

Motion by Zupc and supported by Shedly to approve the proposed Ordinance pending review by the Planning and Zoning Commission and their clarification of the use of the properties in question. Motion carried unanimously.

iii. Revision of Obstructions in Streets Ordinance

Attorney Klun proposed a revision to the Obstructions in the Streets Ordinance to clarify with the public the difference between public and private snow and leaves.

Motion by Salerno and supported by Omerza to hold a Public Hearing regarding the proposed change of Ordinance 254, 2nd Series on November 1, 2011 at 5:00 p.m. before the regular council meeting in the council chambers of City Hall. Motion carried unanimously.

8. COMMUNICATIONS:

- A. Motion by Salerno and supported by Debeltz to send a thank you letter to Michael Shusta and Steve Krtinich for the great job they are doing to ensure Ely's water quality. Motion carried unanimously.
- B. Summary of the Market Value Homestead Credit conversion to an exclusion by Jason Nord of the Department of Revenue.
- C. Correspondence to Mayor Skraba from Skye Otteson regarding the abundance of cigarette butts littering our streets.
- D. City Input requested on Redistricting

9. CLAIMS FOR PAYMENT:

- A. City and EUC claims for October, 2011 - \$583,626.75
- B. Approve payment for Center for Economic Development 3rd Quarter Invoice #3633 - \$894.50
- C. Duluth Area Chamber of Commerce Annual Dinner - Invoice#86907 - \$60
- D. Russo Consulting - \$432.00
- E. JPJ Engineering, Inc - Partial Payment Estimate No. 1 for Pattison St Surfacing project - \$47,804.43
- F. TKDA - Ely 2011 CIP Projects - Invoice #002011002929 - \$2,167.66

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

10. NEW BUSINESS:

- A. Motion by Debeltz and supported by Zupec to approve by Resolution the MN DOT FY2012/2013 Grant Agreement for Airport Maintenance and Operation. Roll Called: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Shedly-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.
- B. Motion by Shedly and supported by Zupec to reimburse Judy Niemela and Robert Anderson for mileage utilization of their personal vehicles, based on the current IRS mileage rate instead of the previous agreement of a monthly stipend. Motion carried unanimously.
- C. LMCIT final audit for Worker's Comp Insurance 2010, refund \$9,577

Motion by Debeltz and supported by Salerno to approve by Resolution the request by the Knights of Columbus, Council 3238 to conduct a bingo on November 20 and December 11, 2011 at St. Anthony's Church. Roll Called: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Shedly-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

11. OPEN FORUM:

Council member Zupec asked about the meth bust in one of the HRA houses. Council member Shedly stated that it was an empty apartment which was broken into and charges have been filed against an individual. A Hazmat team will inspect the property to make determinations of what was there and what is to happen to the property.

15. ADJOURN:

Meeting recessed by 7:05 p.m. and reconvened at 7:13 p.m.

Meeting was closed at 7:14 p.m. to discuss union negotiation strategy.

Motion by Nikkola and supported by Debeltz to reopen meeting at 7:29 p.m. Motion carried unanimously.

Motion by Nikkola and supported by Omerza to adjourn the meeting at 7:30 p.m. Motion carried unanimously.

Terri Boese
Clerk/Treasurer